

Hearing Officer Transmittal Checklist

Hearing Date
12/16/2015
Agenda Item No.
6

Project Number: R2014-00920-(5)
Case(s): Conditional Use Permit Case No. 201400043
Planner: Richard Claghorn

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☒ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☐ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans

Reviewed By: _____



Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R2014-00920-(5)

HEARING DATE

December 16, 2015

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400043

Environmental Assessment No. 201400085

PROJECT SUMMARY

OWNER / APPLICANT

Jan-Peter Flack / Four Aces Movie Location

MAP/EXHIBIT DATE

October 22, 2014

PROJECT OVERVIEW

The applicant, Jan-Peter Flack, is requesting a Conditional Use Permit ("CUP") to authorize a motion picture set within the A-2-1 (Heavy Agricultural, One Acre Minimum Required Lot Area) Zone and the Big Rock Wash Significant Ecological Area ("SEA"). A CUP is required in the A-2 Zone for motion picture sets, pursuant to Section 22.24.150, and within an SEA, pursuant to Section 22.56.215 of the Los Angeles County Code. The motion picture set, known as the Four Aces Movie Location, is an existing use without a previous permit, and is located in the Antelope Valley East Zoned District.

LOCATION

14499 E. Avenue Q, Palmdale, CA 93591

ACCESS

E. Avenue Q, 145th St. E.

ASSESSORS PARCEL NUMBER(S)

3029-010-009

SITE AREA

6.15 Acres

GENERAL PLAN / LOCAL PLAN

Antelope Valley Areawide General Plan

ZONED DISTRICT

Antelope Valley East

LAND USE DESIGNATION

Non-Urban 1

ZONE

A-2-1 (Heavy Agricultural, One Acre Minimum Required Lot Area)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT (CSD)

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Mitigated Negative Declaration

KEY ISSUES

- Consistency with the Los Angeles County General Plan & Antelope Valley Areawide General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.56.215.F.2 (SEA Burden of Proof requirements)
 - 22.24.170 (A-2 Zone Development Standards)

CASE PLANNER:

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Antelope
Valley

145th St E

Project Site

E Avenue Q

100 m

400 ft



ENTITLEMENTS REQUESTED

This Conditional Use Permit ("CUP") is for a motion picture set within the Big Rock Wash Significant Ecological Area ("SEA"). A CUP is required in the A-2-1 (Heavy Agricultural, One Acre Minimum Required Lot Area) Zone for motion picture sets, pursuant to Section 22.24.150 of the Los Angeles County Code ("County Code"). A CUP is also required for development within the SEA, pursuant to Section 22.56.215 of the County Code. Since the application was deemed complete prior to the adoption of the 2015 Antelope Valley Area Plan ("Town & Country Plan"), the Project will be processed under the previous Zoning and the 1986 Antelope Valley Areawide General Plan land use policy.

PROJECT DESCRIPTION

The applicant, Jan-Peter Flack ("permittee"), is requesting authorization for a motion picture set known as the Four Aces Movie Set ("Project") in the A-2-1 Zone within the Big Rock Wash SEA. The Project includes interior and exterior sets resembling a diner, automobile service station, motel, and related signage. The proposed motion picture set is located at 14499 East Avenue Q ("Project Site") near the northwest corner of the intersection of East Avenue Q and 145th Street East (Assessor's Parcel Number 3029-010-009) in the unincorporated community of Lake Los Angeles located east of Palmdale in the Antelope Valley East Zoned District. A CUP is required for a motion picture set in the A-2-1 pursuant to Section 22.24.150 of the County Code, and is required for development in the SEA, pursuant to Section 22.56.215 of the County Code. The motion picture set was originally established without a permit in 1998. A CUP was filed in 1998 (CUP 98-060) to legalize the use, but it was denied for inactivity in 2002. However, the use continued to operate and remains in operation. A "Clean Hands Waiver" was granted by the Department of Regional Planning ("DRP") to allow the use to continue operating while the new CUP is pending.

SITE PLAN DESCRIPTION

The site plan for the Project, which is dated October 22, 2014, depicts the location of two "buildings" connected by a breezeway, a canopy projecting from the southeast corner of the southerly building, a sign at the southeast corner of the property, a 5,000 gallon water tank, parking spaces, and a barbed wire fence separating the southeast corner of the parcel from the remainder of the parcel. The southerly building has a diner set on the west side and a service station set on the east side, with part of the motel set on the north side. The remainder of the motel set is in the north building. The canopy on the south building contains a set made to appear as fuel pumps. None of the "buildings" are actual buildings but are merely realistic facsimiles used as motion picture sets. The remainder of the property to the north and west of the barbed wire fence is vacant desert land and shall remain in its existing natural state. The Project will provide a total of 18 parking spaces as shown on the site plan. Five of the parking spaces are 8'-6" x 18' angled spaces west of the buildings. One 9' x 20' handicapped accessible parking spaces with 8' wide van loading area is located east of the breezeway between the buildings. There are also a total of 12 standard parking spaces (8'-6" x 18') east and south of the buildings. The southerly 20 feet of the Project Site along Avenue Q, plus a small additional area near the southeast corner, is a private street easement. A

freestanding sign, which is part of the set, is located near the southeast corner of the parcel. The easterly property line of the Project Site is the edge of 145th Street East. The parcel is rectangular in shape.

EXISTING ZONING AND PLAN APPLICABILITY

The Project Site was zoned A-2-1 at the time the application was filed, but it was changed to A-2-2 (Heavy Agricultural, Two Acre Minimum Required Lot Area) effective July 16, 2015. Because a complete application for this CUP was filed prior to the effective date of the updated Antelope Valley Area Plan adopted on June 16, 2015, and the related zone changes effective on July 16, 2015, this CUP is being reviewed under the A-2-1 zoning which was in effect at the time the application for the CUP was deemed complete on April 3, 2014, pursuant to Section 22.16.225.A.1 of the County Code. This code section allows the applicant to request that the Project be processed under the zoning regulations that were applicable to the project at the time the application was deemed complete for projects deemed complete prior to the effective date of the 2015 Antelope Valley Ordinance Update. The applicant has opted to have the Project processed under the zoning regulations at the time the CUP application was deemed complete. The applicant has also chosen to have the Project reviewed for compliance with the Los Angeles County General Plan adopted in 1980, which was still in effect at the time the application was deemed complete. The new Los Angeles County General Plan became effective November 5, 2015, but it allows projects filed before the effective date to be processed under the previous General Plan policies if the applicant so chooses. The Zone Change only affected the minimum lot size requirement but the basic zone remains the same. Other changes have been made to the Zoning Code with respect to SEAs since the application was deemed complete.

Surrounding properties within 500 feet were zoned, at the time of the CUP application, as follows:

North: A-2-1
South: A-2-1
East: A-1-1 (Light Agricultural, One Acre Minimum Required Lot Area)
West: A-2-1

Surrounding properties within 500 feet are currently zoned as follows:

North: A-2-2
South: A-2-2
East: A-1-2 (Light Agricultural, Two Acre Minimum Required Lot Area)
West: A-2-2

EXISTING LAND USES

The Project Site is developed with a motion picture set.

Surrounding properties within 500 feet are developed as follows:

North: Vacant land

South: Vacant land
East: Vacant land
West: Vacant land

PREVIOUS CASES/ZONING HISTORY

The subject parcel was created through Record of Survey Number 1839, recorded in Book 68 on Page 37. This Record of Survey was approved by the Los Angeles County Board of Supervisors on August 11, 1953. The Project Site is Lot 25 of this Record of Survey. It is a legal lot. The Project site was zoned M-3 by Ordinance 7093, adopted on January 2, 1957. On December 16, 1958, Ordinance 7450 was adopted, which changed the Project Site to the A-2-2 Zone. The zoning of A-2-1 was adopted on March 17, 1959 under Zoning Ordinance Number 7490. The motion picture set was reportedly established in 1998 without any permits. After a zoning complaint dated April 29, 1998, CUP 98-060 was filed on May 20, 1998 in order to permit the motion picture set use with a caretaker trailer. The CUP was denied for inactivity on September 3, 2002. After a DRP Zoning Enforcement case was opened on January 21, 2014 for the motion picture set use, a new CUP was filed on April 3, 2014. The current CUP application does not include a caretaker residence and there is no caretaker residence at the Project Site. A "Clean Hands Waiver" letter was issued by DRP on February 4, 2014 to allow the movie set to operate while the permit is being processed, subject to certain restrictions.

ENVIRONMENTAL DETERMINATION

County Staff recommends that this project qualifies for a Mitigated Negative Declaration ("MND") based on the Initial Study that was completed in accordance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. A Mitigation Monitoring and Reporting Program ("MMRP") was developed to address mitigations that are necessary for the Project to ensure that any potential impacts to the environment resulting from the Project are less than significant. The mitigation measures of the MMRP have been reviewed and accepted by a DRP Staff Biologist and by the Significant Ecological Area Technical Advisory Committee ("SEATAC").

STAFF EVALUATION

Area Plan Consistency

1986 Antelope Valley Areawide General Plan Consistency

The project site was located within the Non-Urban 1 land use category of the 1986 Antelope Valley Areawide General Plan ("AV Plan") at the time of Project submittal. The Project Site is now located within the Rural Land 20 land use category of the recently adopted Town & Country Plan, effective June 16, 2015. The Project is being reviewed under the 1986 AV Plan because the application was deemed complete prior to the effective date of the Town & Country Plan and the applicant has chosen to have the review continue under the old requirements, pursuant to the applicability provisions of the Town & Country Plan (Page I-9 of Town & Country Plan). Therefore, the Project is being reviewed under the 1986 AV Plan policies and the Project findings are based on this plan.

The Non-Urban 1 land use category of the 1986 AV Plan is intended primarily for single-family residences with a density of up to one dwelling unit per two acres. The AV Plan also allows non-residential uses appropriate for remote locations in Non-Urban Areas, subject to a list of general guidelines found on pages VI-4 through VI-6 and additional policies on pages VI-24 and VI-25 of the AV Plan. These requirements include a public hearing process with appropriate conditioning to minimize negative impacts to adjacent land uses and full environmental review for sensitive uses. The Project Site is believed to be a suitable location for the motion picture set use due to the remote location with few other uses in the area. The nearest developed property is a single-family residence approximately 750 feet east of the Project Site. There are no other parcels containing residences or other structures within a quarter mile of the Project Site. There are a total of four existing single-family residences within a one-half mile radius of the Project Site.

The Project Site was located within the Big Rock Wash Significant Ecological Area ("SEA") at the time the application for the Project was submitted and deemed complete on April 3, 2014. A very small undeveloped area at the northeast corner of the Project site was within the Lovejoy Butte SEA. The entire Project Site is now within the Antelope Valley SEA. The new SEA was adopted as part of the Town & Country Plan. The Project will be processed under the SEA provisions of the 1986 AV Plan, the County Code regulations and the General Plan policies, including those pertaining to SEAs, which were in effect at the time the project was deemed complete.

SEAs are discussed on pages VI-17 and VI-18 of the AV Plan. SEA Compatible uses are listed, including commercial uses of a minor nature serving local residents and visitors, subject to a requirement for a detailed biotic survey and conditions to protect identified ecological resources. The movie set is considered a commercial use of a minor nature. A detailed biotic survey was conducted by Envicom, the permittee's biological consultant, to identify the resources present on the site, and mitigation measures and conditions have been developed to protect the ecological resources. Additional criteria applicable to SEAs are listed on Page VI-26 of the AV Plan. These criteria are listed below in *Italics* followed by a brief discussion of the applicability of each criteria to the Project in standard type. The same design criteria are listed on page III-45 in the County of Los Angeles General Plan ("General Plan") as SEA Design Compatibility Criteria and in Section 22.56.215.F.2 of the County Code as the SEA Burden of Proof requirements. The only significant difference between these three lists is that the list of SEA design criteria in the AV Plan contains one additional item, which is item g in the following list.

- a.) *The development is designed to be highly compatible with biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas.* The developed and disturbed portion of the parcel occupies 0.70 acres of the 6.15 acre Project Site at the southeast corner. The other existing disturbed areas include 0.07 acres of unvegetated or sparsely vegetated riverwash at the southwest corner and 0.28 acres of unpaved roads and trails located in the north part of the site. This disturbed area is not utilized by the permittee, and the disturbance of this area existed in 1997 according to an aerial photograph dated

September 22, 1997, prior to the permittee's use of the Project Site. It appears to possibly be related to the use of off-road recreation vehicles by others. The remaining 5.10 acres is comprised of Joshua Tree woodland. No further development or site disturbance is proposed or allowed beyond the existing developed area at the southeast corner of the site. Mitigation measures to protect the biotic resources and to reduce potential impacts have been developed by the permittee's biologist and were accepted by the DRP Staff Biologist and by SEATAC.

- b.) *The development is designed to maintain waterbodies, watercourses, and their tributaries in a natural state.* A portion of Big Rock Wash is located at the southwest corner of the Project Site. Levees were constructed along the wash to protect from flooding, including across part of the Project Site near the southwest corner. The levees are believed to have been constructed by the Los Angeles County Flood Control District. Otherwise, the wash appears to be in a largely natural state. The watercourse shall remain in its existing state and will not be affected by the Project. This portion of the site is not utilized for filming or other activities by the property owner.
- c.) *The development is designed so that wildlife movement corridors (migratory paths) are left in a natural and undisturbed state.* The principal wildlife movement corridor on the site is Big Rock Wash, which is also an important habitat linkage between the San Gabriel Mountains to the south into the western Mojave Desert. The other nearby area of significant wildlife movement is Lovejoy Buttes. The Lovejoy Buttes SEA is located primarily to the east of the Project Site, and a small part of the Lovejoy Buttes SEA is located at the northeast corner of the Project Site. The remainder of the Project Site is within the Big Rock Wash SEA. The Project Site forms part of a wildlife movement corridor between the buttes and the wash. The biological integrity of the wash has been threatened by extensive use of off-road recreation vehicles in and near the wash. Limiting further development of the Project Site and surrounding areas is important to ensure that Lovejoy Buttes can continue to support healthy wildlife habitat. The Project Site will not be developed further and the majority of the parcel, aside from the 0.70 acre movie set area at the southeast corner, will be able to provide an unimpeded corridor for wildlife movement.
- d.) *The development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from the proposed use.* The vast majority of the parcel, nearly 83% of the total area, is Joshua Tree Woodland, and the movie set occupies only 0.70 acres, or slightly more than 11% of the total area. There is no expansion in the movie set area being proposed and the request is only to maintain the current use of the property. The Joshua Tree Woodland will not be reduced in area and no further disturbance is proposed or allowed.
- e.) *Where necessary, fences or walls are provided to buffer important habitat areas from development.* The movie set area is fenced off with barbed wire fence from the remainder of the parcel. Signage is to be placed on the fence to inform film crews and others who visit the site of the sensitive nature of the area and to prevent encroachment and access into the sensitive area.
- f.) *Roads and Utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.* No

new roads or utility lines are needed to serve the Project. The site is accessible from East Avenue Q to the south and 145th Street East to the east. No widening or other modifications to the existing roads are necessary. The electricity needs will be provided by a generator, and water is brought to the site as needed. Water needs are minimal. In the future, there may be extension of existing electrical lines in the area to the Project Site, although not currently proposed. Additional review by DRP will be needed to ensure that if any additional utility lines or other changes to the Project are proposed it will not affect any of the above resources.

- g.) *Clustering of structures is utilized where appropriate to assure compatibility with the biotic resources present.* The motion picture set structures are clustered in the southeast corner of the property near the intersection of the roads abutting the parcel. The activities associated with the movie set, including parking, filming, placement of equipment, and other related activities shall be confined to the area to the south and east of the fencing separating the movie set from the remainder of the parcel. The remainder of the parcel shall remain undisturbed to protect the biotic resources present at the site.

General Plan Consistency

1980 Countywide General Plan Consistency

The Los Angeles County General Plan adopted in 1980 (1980 General Plan) was still in effect at the time the project was deemed complete on April 3, 2014. A new Los Angeles County General Plan was adopted on October 6, 2015 and became effective on November 5, 2015. The applicability provisions in Chapter 2 of the 2015 General Plan allow the applicant to choose to have the 1980 General Plan policies applied to the project if they had a complete application submitted prior to the effective date of the 2015 General Plan, which was November 5, 2015. The applicant chose to be reviewed under the 1980 General Plan.

The following policies of the 1980 General Plan are applicable to the Project:

- *General Plan, General Policies, Policy 23: "Ensure that development in non-urban areas is compatible with rural life styles, does not necessitate the expansion of urban service systems, and does not cause significant negative environmental impacts or subject people and property to serious hazards."* The Project is suitable for the non-urban location and is compatible with a rural lifestyle. It is a relatively low-intensity use in a remote location and it is not disruptive to the surrounding area. It does not require expansion of urban service systems or result in significant negative environmental impacts or other serious hazards.
- *General Plan, General Policies, Policy 60: "Encourage a strong, diversified economy that will provide business opportunities, an adequate number of jobs for this county's labor force and an improved standard of living."* The motion picture industry is an important sector in the local economy which has suffered from an increase in filming away from the region and a sharp decrease in filming within the county in recent years. This motion picture location is a relatively small operation, but it provides filming opportunities and jobs within the county, which

enhances the local economy. Closing of the facility would result in local job losses in this important industry.

- *General Plan Land Use Element, Policy 7: "Assure that new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards."* Implementation of the proposed CUP conditions and mitigation measures of the MMRP will protect the natural environment and ensure compatibility with surrounding land uses.
- *General Plan Land Use Element, Policy 20: "Establish land use controls that afford effective protection for significant ecological and habitat resources, and lands of major scenic value."* Implementation of the proposed CUP conditions and mitigation measures of the MMRP will afford effective protection for the ecological and habitat resources of the area.

In addition, the 1980 General Plan contains SEA Performance Review policies regarding the following areas:

- 1) **Resource Identification: A Biological Constraints Analysis ("BCA")** was prepared for the Project to identify biotic resources on the site. A BCA was prepared by Envicom, an environmental consultant, dated January 28, 1999 related to CUP 98-060. Envicom prepared a new BCA dated March 10, 2014 for the current pending CUP. Finally, changes were made to the BCA to respond to comments from the DRP Staff Biologist and from the Significant Ecological Area Technical Advisory Committee ("SEATAC"). The current version of the BCA is dated October 30, 2014.
- 2) **Technical Review/Development Guidelines:** The Project was presented to SEATAC on September 15, 2014. SEATAC asked for some changes in the BCA and a restriction on parking outside of the fenced off area of the movie set, including along the roads adjacent to the natural areas. The revised BCA dated October 30, 2014 included the changes requested by SEATAC. The BCA was reviewed by a DRP Staff Biologist and by SEATAC and was accepted by both after the requested minor modifications.
- 3) **Project Design Review:** The Project site plan and floor plans were reviewed by SEATAC and by DRP staff. The plans were found to be consistent with the recommended conditions and guidelines.
- 4) **Impact Analysis:** An Initial Study was performed by DRP Staff, working in conjunction with other county departments and other agencies. Based on the Initial Study, staff determined that a Mitigated Negative Declaration ("MND") is the appropriate environmental document, in accordance with California Environmental Quality Act requirements. A Mitigation Monitoring and Reporting Program ("MMRP") was developed to address mitigations that are necessary for the Project to ensure that any potential impacts to the environment resulting from the Project are less than significant.
- 5) **Regional Planning Commission ("RPC") Review and Action:** The recommendations of SEATAC, the analysis of potential impacts and mitigation measures identified in the environmental document, and the applicable provisions of the countywide General Plan and local plan are to be considered by

the RPC and acted upon with respect to the proposed development plan. Recommendations for approval shall be accompanied by a finding that the project is sensitive to and compatible with the biotic resources of the area. SEATAC recommended approval of the Project, subject to the agreed mitigation measures of the MMRP and appropriate CUP conditions. DRP Staff determined that the Project is sensitive to and compatible with the biotic resources of the area.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.24.150 of the County Code, motion picture sets are permitted in the A-2 Zone, provided that a CUP is obtained. A CUP is also required for development within the SEA, pursuant to Section 22.56.215 of the County Code. The Burden of Proof requirements and other requirements of Section 22.56.215 have been satisfied by the Project. The freestanding sign, roof signs, and other existing signs on the Project Site are considered to be part of the motion picture set and are not to be regulated as signs under the County Code.

Section 22.24.170.A of the County Code requires that front, side and rear yards shall be provided in the A-2 Zone as required in the R-1 (Single-Family Residence) Zone. The yard requirements for the R-1 Zone are found in Section 22.20.120 of the County Code, and are as follows: 20 feet for the front yard, 5 feet for interior side yards, 10 feet for reversed corner side yards, 5 feet for other corner side yards, and 15 feet for rear yards.

When the Project Site was created through Record of Survey Number 1839 in 1953, the easterly 40 feet of the lot and southerly 20 feet of the lot were designated as private street easements. The easterly 40 feet of the original lot is now part of 145th Street West and there is no longer a private street easement on the east side. However, the southerly 20 feet along Avenue Q and a small portion at the corner of 145th Street and Avenue Q remain as a private street easement. This easement could potentially become part of Avenue Q if the road is widened in the future. At this time there are no plans to widen this portion of Avenue Q. The private street easement along Avenue Q remains a part of the Project Site.

The Project Site was surveyed on August 28, 2014 by Brian D. Glidden, a licensed professional land surveyor. There is currently a freestanding sign located within the private street easement, which is shown on the survey. The sign is a part of the movie set and is not regulated under the County Code as a sign. Nevertheless, it is located within the required 20 foot front yard setback. It is located approximately 13 feet from the southerly property line and 3 feet from the east property line. The required front yard, as defined in Section 22.08.240 of the County Code, extends the full width of the property and is measured from the highway line. The highway line is defined in Section 22.08.080 of the County Code as the right-of-way line, and is the same as the property line. Therefore, the required setback distance is measured from the existing property line. In cases where county maps show future highway dedication or the Los Angeles County Department of Public Works (DPW) requires future dedication to be observed, the dedication area is added to the standard setback requirement. No such future dedication requirement currently exists at the site. Nevertheless, if dedication is

required in the future, the sign will need to be relocated or an encroachment permit will need to be obtained from DPW.

Section 22.48.180 of the County Code authorizes the Director of Planning or the County Engineer to grant a modification to yard or setback regulations required by Title 22 or other ordinance where topographic features, subdivision plans or other conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the yard requirements or setback line, except along limited secondary highways. Neither of the roads fronting the Project Site is a limited secondary highway. Freestanding signs in commercial zones can be located up to the property line, and although this is not a commercially zoned property, the movie set includes an imitation motel, diner, and service station and is intended to appear as a commercial property. The sign is an important part of the set that gives it an authentic look, so it needs to be close to the existing roads in order to appear more authentic. Relocating the sign to another location would detract from the authentic look that is desired for the movie set, as well as the sight lines needed for filming shoots. The sign is in the same location that it has been in since the movie set was established, and relocating it now would be impractical, as well as detracting from the appearance of the overall set. Although signs and other structures would not normally be allowed within the required yard area in an A-2 Zone, in this case a setback modification to allow the freestanding sign set to remain as it currently exists is believed to be justified based on the grounds discussed above.

The Project is located within a Rural Outdoor Lighting District. The Project is subject to the Rural Outdoor Lighting District (Dark Skies) requirements in Part 9 of Chapter 22.44 of Title 22 of the County Code. The Project will be required to comply with its requirements, which are designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 20 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass.

The film crews utilizing the site typically shuttle in to the Project Site with buses or other shared vehicles, so the need for parking on the site is less than it would be for most businesses with a similar number of employees. The largest number of employees expected to use the site at any given time is approximately 70, although typically it is much lower. The site contains areas for parking to the west, south and east of the movie set structures, all within the developed area of the Project Site near the southeast corner. The site plan depicts 18 parking spaces, although there are no striped parking spaces on site. The County Code does not have a parking standard for motion picture sets, motion picture studios or any similar uses. Section 22.52.1220 of the County Code states that required parking for uses not specified in the code shall be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. Because of the use of buses and shared vehicles, the need for parking is less than for most uses with a comparable number of employees. A ratio of

one parking space per five employees is adequate as a minimum parking standard based on the existing and proposed use of the Project Site. There is also room on-site for buses and vehicles carrying filming equipment.

A ratio of one parking space per five employees based on the largest productions utilizing the site, with up to 70 employees, results in a minimum parking requirement of 14 parking spaces for the Project. There are 18 parking spaces on the site, each with the required 26 feet of back up area, shown on the site plan, and there is room to accommodate more cars, buses, and other vehicles as needed. There is adequate room on the site to park the vehicles needed for the productions using the site. Transportation of cast and crew to the site is typically provided by buses, vans, and other forms of shared transportation and there is adequate room on the site to accommodate such vehicles without the need to park on adjoining streets, other properties, or environmentally sensitive areas. There is also enough room on-site for vehicles carrying filming equipment and other supplies. Parking needs may vary significantly from one film production to another. If parking available on the site is not adequate for any production, then vehicles must be parked at a different location and employees are to be brought in by buses or other shared transportation, and parking is not allowed to occur along the shoulders of streets abutting the environmentally sensitive areas of the site.

Site Visit

A site visit was conducted on February 25, 2014 by the DRP Staff Biologist and Project Planner. The Project Site was found to be consistent with the site plan. Staff took photographs of the Project Site, which are included in the hearing package.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.090 of the County Code. The Burden of Proof statements with the applicant's responses are attached. Staff is of the opinion that the applicant has met the burden of proof requirements.

That the requested use at the location will not:

- 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or*
- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or*
- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.*

The movie set has been operating for over 17 years and is not being expanded or changed. The Project will not or adversely affect the health, peace, comfort or welfare

of persons residing or working in the surrounding area. The Project Site shall comply with the County Noise Control requirements as required under Chapter 12.08 of Title 12 of the County Code. It will not be detrimental to the enjoyment or valuation of property in the surrounding area since there are few developed parcels in the area, the movie set is a relatively benign use. The Project Site is located approximately 750 feet from the nearest property containing a residence and all of the parcels within less than 750 feet of the Project Site are currently vacant land. The use does not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. It will be appropriately conditioned and regularly monitored to ensure that it remains in compliance with all conditions and applicable requirements and does not become a nuisance or hazard.

That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The site contains adequate room to meet parking requirements and other requirements for the Project. The immediately surrounding uses are vacant land, and the project is in a remote location, so there are no significant land use conflicts and the use is integrated with the surrounding area.

Although the sign at the corner of East Avenue Q and 145th Street East is within the required yard area, there is adequate justification to modify the yard requirement since it is regulated as part of the movie set and not as a sign, and because its current location is ideal for maintaining the desired appearance as a commercial property for filming purposes.

That the proposed site is adequately served:

- 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate; and*
- 2. By other public or private service facilities as are required.*

The Project is located at the intersection of an 80-foot wide street, 145th Street East, and a 60-foot wide street, East Avenue Q, and has adequate access to both. The Project will not generate an increase in traffic above current levels and the movie set use has operated at this site since 1998. Public services such as water, sewer, electricity, and waste management are not required. A water tank provides adequate water for fire protection and other water needs are minimal, and are provided by the individual clients. Portable toilets are provided so there is no need for public sewers or

a septic system. Waste will continue to be disposed of properly and transported off-site. Electrical needs are minimal and provided by portable generators. The facility will be adequately served by the existing road and utility infrastructure. The Adopted County Trails Master Plan shows the proposed San Bernardino Connector Trail along the south road frontage of the site. A 12-foot wide multi-use trail easement will be recorded as a condition of Project approval to accommodate pedestrians, equestrians, and bicyclists.

The SEA Burden of Proof criteria in Section 22.56.215.F.2 of the County Code were analyzed in the preceding General Plan/Community Plan Consistency section of this document discussing the SEA requirements. Staff believes the Project meets the SEA Burden of Proof requirements.

Neighborhood Impact/Land Use Compatibility

The movie set use is appropriate for the site and area. The movie set will not be detrimental to the surrounding community. The movie set is in a remote location with few surrounding residences. The nearest residence is 750 feet away. The movie set use shall comply with the noise requirements and outdoor lighting requirements of the County Code and will contain additional conditions and mitigation measures that will minimize impacts to the surrounding SEA. These conditions and mitigation measures will also help to minimize potential impacts to surrounding residences in the area. Although it was originally established without a permit, the use has operated since 1998 and no expansion of the use is proposed.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff received a letter from the Los Angeles County Department of Public Health ("DPH") on October 23, 2014, which recommended approval of the CUP and included recommended conditions pertaining to drinking water and portable toilets. The Los Angeles County Fire Department provided a letter dated October 30, 2014 that cleared the Project for public hearing and provided recommended conditions of approval related to access and the existing 5,000 gallon water tank. The Los Angeles County Department of Parks and Recreation ("DPR") issued a letter on October 21, 2015 with recommended conditions of approval regarding trail requirements. The Los Angeles County Department of Public Works issued a letter on November 3, 2015 providing a recommended condition of approval regarding obtaining Building and Safety approval for the structures.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting. On October 27, 2014 a total of 23 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 15 notices to those on the courtesy mailing list for the Antelope Valley East Zoned District. Additionally, the case materials were available on Regional Planning's website and at the Lake Los Angeles Library.

PUBLIC COMMENTS

Staff has not received any comments from members of the public at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-00920, Conditional Use Permit Number 201400043, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, ADOPT THE MITIGATED NEGATIVE DECLARATION PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400043 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Richard Claghorn, Principal Regional Planning Assistant, Zoning Permits North Section

Reviewed by Robert Glaser, Supervising Regional Planner, Zoning Permits North Section

Attachments:

Draft Findings, Draft Conditions of Approval

Initial Study

Mitigation Monitoring Program

Applicant's Burden of Proof statement

Letters Public Health, Fire, Parks & Recreation, & Public Works

Site Photographs, Aerial Image

Site Plan, Land Use Map

RG:RC

12/2/15

**DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2014-000920-(5)
CONDITIONAL USE PERMIT NO. 201400043**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on December 16, 2015, in the matter of Project No. R2014-00920-(5), Conditional Use Permit No. 201400043 ("CUP").
2. The applicant, Jan-Peter Flack ("permittee"), is requesting a Conditional Use Permit for a motion picture set known as the Four Aces Movie Set ("Project") on a site ("Project Site") in the A-2-1 (Heavy Agricultural, One Acre Minimum Required Lot Area) Zone within the Big Rock Wash Significant Ecological Area ("SEA") in the Antelope Valley East Zoned District. The Project includes interior and exterior sets resembling a diner, automobile service station, motel, and related signage. A CUP is required for a motion picture set in the A-2-1 pursuant to Section 22.24.150 of the County Code, and is required for development in the SEA, pursuant to Section 22.56.215 of the County Code. The motion picture set was originally established without a permit in 1998. A CUP was filed in 1998 (CUP 98-060) to legalize the use, but it was denied for inactivity in 2002. However, the use continued to operate and remains in operation. A "Clean Hands Waiver" was granted by the Department of Regional Planning ("DRP") to allow the use to continue operating while the new CUP is pending.
3. The Project Site was zoned A-2-1 at the time the application was filed, but it was changed to A-2-2 (Heavy Agricultural, Two Acre Minimum Required Lot Area) effective July 16, 2015. Because a complete application for this CUP was filed prior to the effective date of the updated Antelope Valley Area Plan adopted on June 16, 2015, and the related zone changes effective on July 16, 2015, this CUP is being reviewed under the A-2-1 zoning which was in effect at the time the application for the CUP was deemed complete on April 3, 2014, pursuant to Section 22.16.225.A.1 of the County Code. This code section allows the applicant to request that the Project be processed under the zoning regulations that were applicable to the project at the time the application was deemed complete for projects deemed complete prior to the effective date of the 2015 Antelope Valley Ordinance Update. The applicant has opted to have the Project processed under the zoning regulations at the time the CUP application was deemed complete. The applicant has also chosen to have the Project reviewed for compliance with the Los Angeles County General Plan adopted in 1980, which was still in effect at the time the application was deemed complete. The new Los Angeles County General Plan became effective November 5, 2015, but it allows projects filed before the effective date to be processed under the previous General Plan policies if the applicant so chooses. The Zone Change only affected the minimum lot size requirement but the basic zone remains the same. Other changes have been made to the Zoning Code with respect to SEAs since the application was deemed complete.

4. The Project Site is 14499 East Avenue Q at the northwest corner of the intersection of East Avenue Q and 145th Street East (Assessor's Parcel Number 3029-010-009) in the unincorporated community of Lake Los Angeles located east of Palmdale. The topography of the Project Site is flat.
5. The Project Site is 6.15 acres in size and consists of one legal lot. The Project Site is rectangular in shape with mostly flat topography and is currently developed with a movie set consisting of structures resembling a diner, gas station, and motel. The developed and disturbed area of the lot covers approximately 0.70 acres.
6. The Project Site is located in the Antelope Valley East Zoned District.
7. The Project Site was located within the Non-Urban 1 land use category of the 1986 Antelope Valley Areawide General Plan ("1986 Area Plan") Land Use Policy Map at the time of project submittal.
8. The project site is located within the Rural Land 20 land use category of the recently adopted Antelope Valley Area Plan ("Town & Country Plan"), effective June 16, 2015. The Project is being reviewed under the 1986 Area Plan because the application was deemed complete prior to the effective date of the Town & Country Plan and the applicant has chosen to have the review continue under the old requirements, pursuant to the applicability provisions of the Town & Country Plan (Page I-9 of Town & Country Plan). Therefore, the Project is being reviewed under the 1986 AV Plan policies and the Project findings are based on this plan.
9. The Non-Urban 1 land use category of the 1986 AV Plan is intended primarily for single-family residences with a density of up to one dwelling unit per two acres. The AV Plan also allows non-residential uses appropriate for remote locations in Non-Urban Areas, subject to a list of general guidelines found on pages VI-4 through VI-6 and additional policies on pages VI-24 and VI-25 of the AV Plan. These requirements include a public hearing process with appropriate conditioning to minimize negative impacts to adjacent land uses and full environmental review for sensitive uses. The Project Site is believed to be a suitable location for the motion picture set use due to the remote location with few other uses in the area. The nearest developed property is a single-family residence approximately 750 feet east of the Project Site. There are no other parcels containing residences or other structures within a quarter mile of the Project Site. There are a total of four existing single-family residences within a one-half mile radius of the Project Site.
10. The Project Site was located within the Big Rock Wash SEA at the time the application for the Project was deemed complete on April 3, 2014. A very small undeveloped area at the northeast corner of the Project site was within the Lovejoy Butte SEA. The entire Project Site is now within the Antelope Valley SEA. The new SEA was adopted as part of the Town & Country Plan. The Project will be processed under the SEA provisions of the 1986 Area Plan and County Code regulations pertaining to SEAs in effect at the time the project was deemed complete.

11. Surrounding properties within 500 feet were zoned as follows at the time of Project submittal:

North: A-2-1
South: A-2-1
East: A-1-1 (Light Agricultural, One Acre Minimum Required Lot Area)
West: A-2-1

12. Surrounding properties within a 500-foot radius are currently zoned as follows:

North: A-2-2
South: A-2-2
East: A-1-2 (Light Agricultural, Two Acre Minimum Required Lot Area)
West: A-2-2

13. Surrounding land uses within a 500-foot radius include:

North: Vacant land
South: Vacant land
East: Vacant land
West: Vacant land

14. The subject parcel was created through Record of Survey Number 1839, recorded in Book 68 on Page 37. This Record of Survey was approved by the Los Angeles County Board of Supervisors on August 11, 1953. The Project Site is Lot 25 of this Record of Survey. It is a legal lot.
15. The Project site was zoned M-3 by Ordinance 7093, adopted on January 2, 1957. On December 16, 1958, Ordinance 7450 was adopted, which changed the Project Site to the A-2-2 Zone. The zoning was then changed to A-2-1, which was adopted on March 17, 1959 under Zoning Ordinance Number 7490. The motion picture set was reportedly established in 1998 without any permits. After a zoning complaint dated April 29, 1998, CUP 98-060 was filed on May 20, 1998 in order to permit the motion picture set use with a caretaker trailer. The CUP was denied for inactivity on September 3, 2002. After a Department of Regional Planning ("DRP") Zoning Enforcement case was opened on January 21, 2014 for the motion picture set use, a new CUP was filed on April 3, 2014. The current CUP application does not include a caretaker residence and there is no caretaker residence at the Project Site. A "Clean Hands Waiver" letter was issued by DRP on February 4, 2014 to allow the movie set to operate while the permit is being processed, subject to certain restrictions.
16. The Los Angeles County General Plan adopted in 1980 (1980 General Plan) was still in effect at the time the project was deemed complete on April 3, 2014. A new Los Angeles County General Plan was adopted on October 6, 2015 and became effective on November 5, 2015. The applicability provisions in Chapter 2 of the 2015 General Plan allow the applicant to choose to have the 1980 General Plan policies applied to the project if they had a complete application submitted prior to the

effective date of the 2015 General Plan, which was November 5, 2015. The applicant chose to be reviewed under the 1980 General Plan.

17. The site plan for the Project, which is dated October 22, 2014, depicts the location of two "buildings" connected by a breezeway, a canopy projecting from the southeast corner of the southerly building, a sign at the southeast corner of the property, a 5,000 gallon water tank, parking spaces, and a barbed wire fence separating the southeast corner of the parcel from the remainder of the parcel. The southerly building has a diner set on the west side and a service station set on the east side, with part of the motel set on the north side. The remainder of the motel set is in the north building. The canopy on the south building contains a set made to appear as fuel pumps. None of the "buildings" are actual buildings but are merely realistic facsimiles used as motion picture sets. The remainder of the property to the north and west of the barbed wire fence is vacant desert land and shall remain in its existing natural state. The Project will provide a total of 18 parking spaces as shown on the site plan. Five of the parking spaces are 8'-6" x 18' angled spaces west of the buildings. One 9' x 20' handicapped accessible parking spaces with 8' wide van loading area is located east of the breezeway between the buildings. There are also a total of 12 standard parking spaces (8'-6" x 18') east and south of the buildings. The southerly 20 feet of the Project Site along Avenue Q, plus a small additional area near the southeast corner, is a private street easement. A freestanding sign, which is part of the set, is located near the southeast corner of the parcel. The easterly property line of the Project Site is the edge of 145th Street East. The parcel is rectangular in shape.
18. The Project Site is accessible via 145th Street East to the east and Avenue Q to the south.
19. Because the Project is within an SEA, it is subject to the five SEA performance review policies of the 1980 General Plan, including resource identification, the first component. A Biological Constraints Analysis ("BCA") was prepared for the Project to identify biotic resources on the site. A BCA was prepared by Envicom, an environmental consultant, dated January 28, 1999 related to CUP 98-060. Envicom prepared a new BCA dated March 10, 2014 for the current pending CUP. Finally, changes were made to the BCA to respond to comments from the DRP Staff Biologist and from the Significant Ecological Area Technical Advisory Committee ("SEATAC"). The current version of the BCA is dated October 30, 2014.
20. The Project is subject to technical review and development guidelines, the second component of the SEA performance review policies. Therefore, the Project was presented to SEATAC on September 15, 2014. SEATAC asked for some changes in the BCA and a restriction on parking outside of the fenced off area of the movie set, including along the roads adjacent to the natural areas. The revised BCA dated October 30, 2014 included the changes requested by SEATAC. The BCA was reviewed by a DRP Staff Biologist and by SEATAC and was accepted by both after the requested minor modifications.

21. The third SEA performance review component is project design review. The Project site plan and floor plans were reviewed by SEATAC and by DRP staff. The plans were found to be consistent with the recommended conditions and guidelines.
22. The fourth SEA performance review component is impact analysis. An Initial Study was performed by DRP Staff, working in conjunction with other county departments and other agencies. Based on the Initial Study, staff determined that a Mitigated Negative Declaration ("MND") is the appropriate environmental document, in accordance with California Environmental Quality Act ("CEQA") requirements. A Mitigation Monitoring and Reporting Program ("MMRP") was developed to address mitigations that are necessary for the Project to ensure that any potential impacts to the environment resulting from the Project are less than significant.
23. The fifth SEA performance review component is Regional Planning Commission review and action. The recommendations of SEATAC, the analysis of potential impacts and mitigation measures identified in the environmental document, and the applicable provisions of the countywide General Plan and local plan are to be considered by the Commission and acted upon with respect to the proposed development plan. Recommendations for approval shall be accompanied by a finding that the project is sensitive to and compatible with the biotic resources of the area. SEATAC recommended approval of the Project, subject to the agreed mitigation measures of the MMRP and appropriate CUP conditions. DRP Staff determined that the Project is sensitive to and compatible with the biotic resources of the area.
24. SEAs are discussed on pages VI-17 and VI-18 of the AV Plan. SEA Compatible uses are listed, including commercial uses of a minor nature serving local residents and visitors, subject to a requirement for a detailed biotic survey and conditions to protect identified ecological resources. The movie set is a commercial use of a minor nature. A detailed biotic survey was conducted to identify the resources present on the site, and mitigation measures and conditions have been developed to protect the ecological resources. Additional criteria applicable to SEAs are listed on Page VI-26 of the AV Plan. These criteria are listed below in italics followed by a brief discussion of the applicability of each criteria to the Project in standard type. The same design criteria are listed on page III-45 in the County of Los Angeles General Plan ("General Plan") as SEA Design Compatibility Criteria and in Section 22.56.215.F.2 of the County Code as the SEA Burden of Proof requirements. The only significant difference between these three lists is that the SEA design criteria in the AV Plan contains one additional item, which is Finding No. 31 below.
25. *The development is designed to be highly compatible with biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas.* The developed and disturbed portion of the parcel occupies 0.70 acres of the 6.15 acre Project Site at the southeast corner. The other existing disturbed areas include 0.07 acres of unvegetated or sparsely vegetated riverwash at the southwest corner and 0.28 acres of unpaved roads and trails located in the north part of the site. This disturbed area is not utilized by the permittee, and the disturbance of this area existed in 1997 according to an aerial photograph dated September 22, 1997, prior

to the permittee's use of the Project Site. It appears to possibly be related to the use of off-road recreation vehicles by others. The remaining 5.10 acres is comprised of Joshua Tree woodland. No further development or site disturbance is proposed or allowed beyond the existing developed area at the southeast corner of the site. Mitigation measures to protect the biotic resources and to reduce potential impacts have been developed by the permittee's biologist and the MMRP was accepted by the DRP Staff Biologist and by SEATAC. The MMRP requires an environmental education handout to be provided to persons and companies using the site. The handout includes additional measures relating to noise, lighting, and other protections for the sensitive habitat on the site, which have also been included in the CUP conditions. Implementation of the MMRP and CUP conditions will help to protect the biotic resources.

26. *The development is designed to maintain waterbodies, watercourses, and their tributaries in a natural state.* A portion of Big Rock Wash is located at the southwest corner of the Project Site. Levees were constructed along the wash to protect from flooding, including across part of the Project Site near the southwest corner. The levees were evidently constructed by the Los Angeles County Flood Control District. Otherwise, the wash appears to be in a largely natural state. The watercourse shall remain in its existing state and will not be affected by the Project.
27. *The development is designed so that wildlife movement corridors (migratory paths) are left in a natural and undisturbed state.* The principal wildlife movement corridor on the site is Big Rock Wash, which is also an important habitat linkage between the San Gabriel Mountains to the south into the western Mojave Desert. The other nearby area of significant wildlife movement is Lovejoy Buttes. The Lovejoy Buttes SEA is located primarily to the east of the Project Site, and a small part of the Lovejoy Buttes SEA is located at the northeast corner of the Project Site. The remainder of the Project Site is within the Big Rock Wash SEA. The Project Site forms part of a wildlife movement corridor between the buttes and the wash. The biological integrity of the wash has been threatened by extensive use of off-road recreation vehicles in and near the wash. Limiting further development of the Project Site and surrounding areas is important to ensure that Lovejoy Buttes can continue to support healthy wildlife habitat. The Project Site will not be developed further and the majority of the parcel, aside from the 0.70 acre movie set area at the southeast corner, will be able to provide an unimpeded corridor for wildlife movement.
28. *The development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from the proposed use.* The vast majority of the parcel, nearly 83% of the total area, is Joshua Tree Woodland, and the movie set occupies only 0.70 acres, or slightly more than 11% of the total area. There is no expansion in the movie set area being proposed and the request is only to maintain the current use of the property. The Joshua Tree Woodland will not be reduced in area and no further disturbance is proposed or allowed.

29. *Where necessary, fences or walls are provided to buffer important habitat areas from development.* The movie set area is fenced off with barbed wire fence from the remainder of the parcel.
30. *Roads and Utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.* No new roads or utility lines are needed to serve the Project. The site is accessible from East Avenue Q to the south and 145th Street East to the east. No widening or other modifications to the existing roads are necessary. The electricity needs will be provided by a generator, and water is brought to the site as needed. Water needs are minimal. In the future, there may be extension of existing electrical lines in the area to the Project Site, although not currently proposed. Additional review by DRP will be needed to ensure that if any additional utility lines or other changes to the Project are proposed it will not affect any of the above resources.
31. *Clustering of structures is utilized where appropriate to assure compatibility with the biotic resources present.* The motion picture set structures are clustered in the southeast corner of the property near the intersection of the roads abutting the parcel. The activities associated with the movie set, including parking, filming, placement of equipment, and other related activities shall be confined to the area to the south and east of the fencing separating the movie set from the remainder of the parcel. The remainder of the parcel shall remain undisturbed to protect the biotic resources present at the site.
32. The following policies of the 1980 General Plan are applicable to the Project. The policies are given in italics followed by comments about how each policy is applicable to the Project.
33. *General Plan, General Policies, Policy 23: "Ensure that development in non-urban areas is compatible with rural life styles, does not necessitate the expansion of urban service systems, and does not cause significant negative environmental impacts or subject people and property to serious hazards."* The Project is suitable for the non-urban location and is compatible with a rural lifestyle. It is a relatively low-intensity use in a remote location and it is not disruptive to the surrounding area. It does not require expansion of urban service systems or result in significant negative environmental impacts or other serious hazards.
34. *General Plan, General Policies, Policy 60: "Encourage a strong, diversified economy that will provide business opportunities, an adequate number of jobs for this county's labor force and an improved standard of living."* The motion picture industry is an important sector in the local economy which has suffered from an increase in filming away from the region and a sharp decrease in filming within the county in recent years. This motion picture location is a small operation, but it provides filming opportunities and jobs within the county, which enhances the local economy. Closing of the facility would result in local job losses in this important industry.

35. *General Plan Land Use Element, Policy 7: "Assure that new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards."* Implementation of the proposed CUP conditions and mitigation measures of the MMRP will protect the natural environment and ensure compatibility with surrounding land uses.
36. *General Plan Land Use Element, Policy 20: "Establish land use controls that afford effective protection for significant ecological and habitat resources, and lands of major scenic value."* Implementation of the proposed CUP conditions and mitigation measures of the MMRP will afford effective protection for the ecological and habitat resources of the area.
37. The freestanding sign, roof signs, and other existing signs on the Project Site are considered to be part of the motion picture set and are not to be regulated as signs under the County Code.
38. Section 22.24.170.A of the County Code requires that front, side and rear yards shall be provided in the A-2 Zone as required in the R-1 (Single-Family Residence) Zone. The yard requirements for the R-1 Zone are found in Section 22.20.120 of the County Code, and are as follows: 20 feet for the front yard, 5 feet for interior side yards, 10 feet for reversed corner side yards, 5 feet for other corner side yards, and 15 feet for rear yards.
39. When the Project Site was created through Record of Survey Number 1839 in 1953, the easterly 40 feet of the lot and southerly 20 feet of the lot were designated as private street easements. The easterly 40 feet of the original lot is now part of 145th Street West and there is no longer a private street easement on the east side. However, the southerly 20 feet along Avenue Q and a small portion at the corner of 145th Street and Avenue Q remain as a private street easement. This easement could potentially become part of Avenue Q if the road is widened in the future. At this time there are no plans to widen this portion of Avenue Q. The private street easement along Avenue Q remains a part of the Project Site.
40. The Project Site was surveyed on August 28, 2014 by Brian D. Glidden, a licensed professional land surveyor. There is currently a freestanding sign located within the private street easement, which is shown on the survey. The sign is a part of the movie set and is not regulated under the County Code as a sign. Nevertheless, it is located within the required 20 foot front yard setback. It is located approximately 13 feet from the southerly property line and 3 feet from the east property line. The required front yard, as defined in Section 22.08.240 of the County Code, extends the full width of the property and is measured from the highway line. The highway line is defined in Section 22.08.080 of the County Code as the right-of-way line, and is the same as the property line. Therefore, the required setback distance is measured from the existing property line. In cases where county maps show future highway dedication or the Los Angeles County Department of Public Works (DPW) requires future dedication to be observed, the dedication area is added to the standard setback requirement. No such future dedication requirement currently exists at the

site. Nevertheless, if dedication is required in the future, the sign will need to be relocated or an encroachment permit will need to be obtained from DPW.

41. Section 22.48.180 of the County Code authorizes the Director of Planning or the County Engineer to grant a modification to yard or setback regulations required by Title 22 or other ordinance where topographic features, subdivision plans or other conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the yard requirements or setback line, except along limited secondary highways. Neither of the roads fronting the Project Site is a limited secondary highway. Freestanding signs in commercial zones can be located up to the property line, and although this is not a commercially zoned property, the movie set includes an imitation motel, diner, and service station and is intended to appear as a commercial property. The sign is an important part of the set that gives it an authentic look, so it needs to be close to the existing roads in order to appear more authentic. Relocating the sign to another location would detract from the authentic look that is desired for the movie set, as well as the sight lines needed for filming shoots. The sign is in the same location that it has been in since the movie set was established, and relocating it now would be impractical, as well as detracting from the appearance of the overall set. Although signs and other structures would not normally be allowed within the required yard area in an A-2 Zone, in this case a setback modification to allow the freestanding sign set to remain as it currently exists is believed to be justified based on the grounds discussed above.
42. Pursuant to Section 22.24.150 of the County Code, motion picture sets are permitted in the A-2 Zone, provided that a CUP is obtained. A CUP is also required for development within the SEA, pursuant to Section 22.56.215 of the County Code. The Burden of Proof requirements and other requirements of Section 22.56.215 have been satisfied by the Project.
43. The film crews utilizing the site typically shuttle in to the Project Site with buses or other shared vehicles, so the need for parking on the site is less than it would be for most businesses with a similar number of employees. The largest number of employees expected to use the site at any given time is approximately 70, although typically it is much lower. The site contains areas for parking to the west, south and east of the movie set structures, all within the developed area of the Project Site near the southeast corner. The site plan depicts 18 parking spaces, although there are no striped parking spaces on site. The County Code does not have a parking standard for motion picture sets, motion picture studios or any similar uses. Section 22.52.1220 of the County Code states that required parking for uses not specified in the code shall be provided in an amount which the director finds adequate to prevent traffic congestion and excessive on-street parking. Because of the use of buses and shared vehicles, the need for parking is less than for most uses with a comparable number of employees. A ratio of one parking space per five employees is adequate as a minimum parking standard based on the existing and proposed use of the

Project Site. There is also room on-site for buses and vehicles carrying filming equipment.

44. A ratio of one parking space per five employees based on the largest productions utilizing the site, with up to 70 employees, results in a minimum parking requirement of 14 parking spaces for the Project. There are 18 parking spaces on the site, each with the required 26 feet of back up area, shown on the site plan, and there is room to accommodate more cars, buses, and other vehicles as needed. There is adequate room on the site to park the vehicles needed for the productions using the site. Transportation of cast and crew to the site is typically provided by buses, vans, and other forms of shared transportation and there is adequate room on the site to accommodate such vehicles without the need to park on adjoining streets, other properties, or environmentally sensitive areas. There is also enough room on-site for vehicles carrying filming equipment and other supplies. Parking needs may vary significantly from one film production to another. If parking available on the site is not adequate for any production, then vehicles must be parked at a different location and employees are to be brought in by buses or other shared transportation, and parking is not allowed to occur along the shoulders of streets abutting the environmentally sensitive areas of the site.
45. The County of Los Angeles Department of Public Health recommended approval of the Project on October 23, 2014 and has recommended conditions of approval, including conditions related to drinking water and portable toilets, which are included in the CUP conditions.
46. The County of Los Angeles Fire Department recommended clearance of the project to proceed to public hearing on October 30, 2014 and provided conditions of approval related to access and the water tank, which are included with the CUP conditions.
47. The County of Los Angeles Department of Parks and Recreation recommended conditions of approval for the Project on October 21, 2015 regarding trail easement recordation. These conditions are included with the CUP conditions.
48. The County of Los Angeles Department of Public Works ("DPW") recommended a condition of approval for the Project in its letter dated November 3, 2015. This condition requires review and approval by DPW's Building and Safety Division. This condition is included with the CUP conditions.
49. Prior to the Commission's public hearing on the Project, DRP staff determined that this project qualifies for a Mitigated Negative Declaration ("MND") based on the Initial Study that was completed in accordance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. A Mitigation Monitoring and Reporting Program ("MMRP")

was developed to address mitigations that are necessary for the Project to ensure that any potential impacts to the environment resulting from the Project are less than significant. The mitigation measures of the MMRP have been reviewed and accepted by a DRP Staff Biologist and by the Significant Ecological Area Technical Advisory Committee ("SEATAC").

50. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
51. No comments from the public regarding the Project been received at this time by DRP Staff.
52. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
53. The Commission finds that the motion picture set use is allowed in the A-2 Zone subject to a CUP pursuant to Section 22.56.150 of the County Code.
54. The Commission finds that the Project is consistent with the Non-Urban 1 land use category of the 1986 Area Plan, which is the applicable area plan for the Project because the application was deemed complete prior to the adoption of the Town & Country Plan. The 1986 Area Plan allows for appropriate nonresidential uses in Non-Urban areas in remote locations, subject to the guidelines on pages VI-4 through VI-6 and VI-24 and VI-25, including a requirement for a public hearing and appropriate conditioning to minimize potential negative impacts. The Project Site is located in a remote area with few surrounding residences, and the Project does not create significant impacts to surrounding uses.
55. The Commission finds that the proposed use for this location is considered to be consistent with the applicable policies of the 1986 Area Plan, including the policies pertaining to SEAs.
56. The Commission finds that the project is sensitive to and compatible with the biotic resources of the area.
57. The Commission finds that the Project is consistent with the policies of the 1980 Los Angeles County General Plan, which is the applicable general plan for the Project because the application was deemed complete prior to the adoption of the 2015 General Plan Update.
58. The Commission finds that a setback modification is justified for the freestanding sign near the southeast corner of the Project Site, which is a part of the movie set use, to allow the existing unpermitted sign to remain in its existing location within the required front yard setback area as shown on the Exhibit "A".
59. The Commission finds that the Project is located within a Rural Outdoor Lighting District. The Project will be required to comply with its requirements, which are

designed to avoid excessively bright lighting and to protect surrounding properties from light trespass, thus preserving the dark skies in rural communities. Light fixtures may not exceed 20 feet in height, any light fixtures located more than 15 feet above grade may not exceed 400 lumens, and all outdoor lighting must be fully shielded to prevent any unacceptable light trespass. The applicable standards are found in County Code sections 22.44.500 through 22.44.590.

60. The Commission finds that the proposed use meets the CUP Burden of Proof requirements of Section 22.56.040 of the County Code, detailed below in Findings No. 61 through 63.
61. The Commission finds that the proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The Project conditions and mitigation measures will ensure that the impacts to wildlife and biotic resources in the area will be less than significant, as well as to avoid adverse impacts to neighboring residents and properties. The movie set has been operating for over 17 years and is not being expanded or changed. The Project will not or adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The Project Site shall comply with the County Noise Control requirements as required under Chapter 12.08 of Title 12 of the County Code. It will not be detrimental to the enjoyment or valuation of property in the surrounding area since there are few developed parcels in the area, the movie set is a relatively benign use. The Project Site is located approximately 750 feet from the nearest property containing a residence and all of the parcels within less than 750 feet of the Project Site are currently vacant land. The use does not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. It will be appropriately conditioned and regularly monitored to ensure that it remains in compliance with all conditions and applicable requirements and does not become a nuisance or hazard.
62. The Commission finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area. The site contains adequate room to meet parking requirements and other requirements for the Project. The immediately surrounding uses are vacant land, and the project is in a remote location, so there are no significant land use conflicts and the use is integrated with the surrounding area. Although the sign at the corner of East Avenue Q and 145th Street East is within the required yard area, there is adequate justification to modify the yard requirement since it is regulated as part of the movie

set and not as a sign, and because its current location is ideal for maintaining the desired appearance as a commercial property for filming purposes.

63. The Commission finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate, and by other public or private service facilities as are required. The Project is located at the intersection of an 80-foot wide street, 145th Street East, and a 60-foot wide street, East Avenue Q, and has adequate access to both. The Project will not generate an increase in traffic above current levels and the movie set use has operated at this site since 1998. Public services such as water, sewer, electricity, and waste management are not required. A water tank provides adequate water for fire protection and other water needs are minimal, and are provided by the individual clients. Portable toilets are provided so there is no need for public sewers or a septic system. Waste will continue to be disposed of properly and transported off-site. Electrical needs are minimal and provided by portable generators. The facility will be adequately served by the existing road and utility infrastructure. The Adopted County Trails Master Plan shows the proposed San Bernardino Connector Trail along the south road frontage of the site. A 12-foot wide multi-use trail easement will be recorded as a condition of Project approval to accommodate pedestrians, equestrians, and bicyclists.
64. The Commission finds that the Project is consistent with the SEA Burden of Proof requirements from Section 22.56.215.F.2 of the County Code and the SEA Design Criteria on Page VI-26 of the 1986 Area Plan, as detailed above in Findings No. 25 through 31.
65. The Commission finds that it is necessary to limit the term of the grant to twenty (20) years to assure continued compatibility between the use of the Project Site allowed by this grant, surrounding land uses, and the SEA.
66. The Commission finds that pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting. On October 27, 2014 a total of 23 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 15 notices to those on the courtesy mailing list for the Antelope Valley East Zoned District. Additionally, the case materials were available on Regional Planning's website and at the Lake Los Angeles Library.
67. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such

documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the 1980 Los Angeles County General Plan and the 1986 Antelope Valley Areawide General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The development is designed to be highly compatible with biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas.
- F. The development is designed to maintain waterbodies, watercourses, and their tributaries in a natural state.
- G. The development is designed so that wildlife movement corridors (migratory paths) are left in a natural and undisturbed state.
- H. The development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from the proposed use.
- I. Where necessary, fences or walls are provided to buffer important habitat areas from development. The movie set area is fenced off with barbed wire fence from the remainder of the parcel.
- J. Roads and Utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.
- K. Clustering of structures is utilized where appropriate to assure compatibility with the biotic resources present.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that it independently reviewed and considered the MND and that the MND reflects the independent judgment and analysis of Commission as to the environmental consequences of the Project; certifies that it considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Commission that there is no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and
2. Approves Conditional Use Permit No. 201400043, subject to the attached conditions.

ACTION DATE: December 16, 2015

RG:RC
12/2/15

c: Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-00920-(5)
CONDITIONAL USE PERMIT NO. 2014000043**

PROJECT DESCRIPTION

The project is a motion picture set located at 14499 East Avenue Q within a Significant Ecological Area ("SEA"). The project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on December 16, 2035.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,200.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the

conditions of approval. The fund provides for eleven (11) biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Within five (5) working days from the day after your appeal period ends **December 30, 2015 (by no later than January 7, 2016)**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **\$2,285.00** (\$2,210.00 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid. Please note that this fee may change at the beginning of 2016.
12. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring Program ("MMP"), which are incorporated by this reference as if set forth fully herein. Refer to Conditions No. 29 through 33 for a summary of the mitigation measures, which are fully detailed in the separate MMP document.
13. Within sixty (60) days of the date of the approval of the CUP Exhibit "A", the permittee shall record a covenant and agreement, which attaches the MMP and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this project, in the office of the Recorder along with the Affidavit of Acceptance of the CUP conditions. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to Regional Planning for approval upon request until all MMP requirements have been implemented and completed. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
14. The permittee shall deposit an initial sum of \$6,000.00 with Regional Planning within sixty (60) days of the date of the approval of the CUP Exhibit "A" in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

15. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13, of the County Code.
16. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the Fire department.
17. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
18. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
19. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
20. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

21. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **four (4) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **March 1, 2016**.
22. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SITE-SPECIFIC CONDITIONS

23. This grant shall authorize the operation of a motion picture set.
24. The permittee shall provide a minimum of 18 parking spaces as shown on the Exhibit "A", including one van-accessible handicapped parking space. All parking shall be within the developed area at the southeast corner of the parcel.
25. The permittee shall comply with all conditions set forth in the attached County Public Health Department letter dated April 15, 2015.
26. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated June 10, 2015.
27. The permittee shall comply with all conditions set forth in the attached County Parks and Recreation Department letter dated July 9, 2015.
28. The permittee shall comply with all conditions set forth in the attached County Public Works letter dated August 6, 2015.
29. Maintain a permanent fence along the northern and western boundaries of the developed/disturbed area containing the movie set in order to prevent and discourage encroachment into adjacent sensitive habitats. Permanent signage shall be posted at the perimeter of the developed site to inform personnel of the sensitive status of the Joshua tree woodland and Big Rock Wash, as well as the presence of the Big Rock Wash Significant Ecological Area. Signage must also prohibit access by domestic pets with or without leashes in the sensitive habitats.
30. All food-related trash shall be disposed of in predator-proof closed containers. Permanent signage shall be posted to remind personnel to dispose of food-related trash in predator-proof closed containers.
31. The Applicant shall prepare and submit an environmental education handout to Regional Planning for review and approval. The environmental education handout shall address, at a minimum, the following topics: the presence and environmental significance of the Big Rock Wash Significant Ecological Area; the sensitive status of the native habitats surrounding the project site; the potential adverse effects of encroachment of personnel, vehicles, and pets into sensitive habitats; the potential adverse effects of light trespass, glare, and excessive noise during nighttime hours on wildlife and on wildlife movement; and, any permit conditions and mitigation measures required to avoid and reduce potential adverse effects on sensitive habitats, special-status wildlife, and wildlife movement.
32. Parking shall be restricted to the fenced-off developed area at the southeastern part of the property, and shall be prohibited in all off-site areas in the vicinity of the film set, including road shoulders. If the fenced-off developed area cannot accommodate the parking needs of the project, parking shall be at a remote off-site location. If a remote

off-site location is to be used, the Applicant must submit the location of the off-site parking area to Regional Planning for review and approval.

33. As a means of ensuring compliance of the MMP mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance reports to the Department of Regional Planning for review upon request.
34. Nighttime filming shall be limited to the film set area and shall be designed so as to avoid illumination, light trespass, and glare in the natural habitat areas of the site and surrounding properties. The site is within the Rural Outdoor Lighting District and is therefore subject to the "Dark Skies" requirements of Title 22.
35. All activities associated with the motion picture set use are restricted to the fenced-off cleared/developed area containing the film set.
36. Personnel using the site are prohibited from entering the natural habitats within the SEA.
37. Pets must be contained and prevented from entering natural habitats within the SEA.
38. Noise, including amplified sound, must be minimized, particularly during nighttime hours. The Project is Subject to the County Noise Ordinance restrictions (Chapter 12.08 of the County Code).
39. Upon termination of this grant, if the facility has ceased to operate, the permittee shall remove such facility and clear the site of all structures and facilities related to the film set use within six months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility. Failure to remove such facility as required herein shall constitute a public nuisance and be subject to appropriate enforcement actions by the Zoning Enforcement Section of Regional Planning and any other government agency. In the event the facility is not so removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause the facility to be removed at the permittee's expense.



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

5050 Commerce Drive
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October 23, 2014

TO: Richard Claghorn
Principal Regional Planning Assistant
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, MPA (M.T)
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2014-00920
Four Aces Movie Set
14499 E. Avenue Q, Palmdale

- ☒ Public Health recommends approval of this CUP.
☐ Public Health does NOT recommend approval of this CUP.

The Department of Public Health-Environmental Health Division has reviewed the information provided for the project identified above. The CUP request is for the continued operation of a permanent movie set/film location. The project consists of interconnected sets of a motel, diner, and gas station located at the southeast corner of the property. The Department clears this CUP for public hearing.

Drinking Water Program

The Drinking Water Program recommends approval of this CUP.

The Drinking Water Program approves the use of portable water tanks as the source of drinking water for crews and staff while on location, as no employees reside onsite. The following conditions shall be observed:

- Potable water shall be provided in a manner as to be readily accessible to employees and crews.
- Drinking water containers shall be maintained in a manner to prevent contamination of the drinking water.

- Single use disposable cups shall be used as necessary to prevent contamination of the drinking water.
- Open containers such as barrels, pails, or tanks used for drinking water which the water must be dipped or poured, whether or not they are fitted with a cover, are prohibited. The container must have a secured lid to protect the water supply at all times

For questions regarding the above requirements, please contact Richard Lavin or Epifanio Braganza at (626) 430-5420 or e-mail rlavin@ph.lacounty.gov or ebraganza@ph.lacounty.gov.

Land Use Program

The Land Use Program recommends approval of this CUP.

The Land Use Program approves the use of portable toilets as no employees reside onsite. The following items shall be provided:

- A toilet, a hand washing sink, and a waste water storage container.

For questions regarding the above section, please contact Eric Edwards or Vicente Banada at (626) 430-5380 or e-mail eedwards@ph.lacounty.gov or vbanada@ph.lacounty.gov.

For any other questions regarding this report, please feel free to contact me at (626) 430-5382 or at mtsiebos@ph.lacounty.gov.



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-00920

MAP DATE: February 1, 2014

LOCATION: 14499 East Avenue Q, Palmdale (unincorporated)

**THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO
PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE
FOLLOWING CONDITIONS OF APPROVAL.**

CONDITIONS OF APPROVAL – ACCESS

1. Maintain access as noted on the site plan, and provide an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.2
2. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1

CONDITIONS OF APPROVAL – WATER SYSTEM

1. Maintain the current 5000 gallon water tank.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Parks Make Life Better!"

John Wicker, Acting Director

October 21, 2015

Sent via e-mail: rclaghorn@planning.lacounty.gov

TO: Richard Claghorn, Principal Planner
Department of Regional Planning
Zoning Permits North Section

FROM: Kathline J. King, Chief of Planning *K. King*
Department of Parks and Recreation
Planning Division

SUBJECT: **PROJECT NO. R2014-00920 CONDITIONAL USE PERMIT (CUP) NO.
201400043 FOUR ACES MOVIE SET**

NOTICE OF TRAIL CONDITIONS

The Department of Parks and Recreation (DPR) has completed the review of the proposed project located at 14499 East Avenue Q in Lake Los Angeles (APN 3029-010-009). The proposed project includes a movie set with "interconnected" sets made to appear as a motel, diner, and gas station, including related interiors for each of the structures. The project site is located within the Antelope Valley East Zoning District and is also within the sphere of the Adopted County Trails Master Plan (Trails Plan). Within the Trails Plan is an alignment for the "San Bernardino Connector Trail", which is proposed on the south side of the project area (see attached "San Bernardino Conn Trail" Map).

DPR is requiring the Subdivider to dedicate a twelve foot wide (12') trail easement for multi-use (hiking, mountain biking, and equestrian) trail purposes to the satisfaction of DPR.

DPR requests that the Department of Regional Planning include the following trail conditions of approval as a component of the conditional use permit:

Trail Easement Recordation Conditions

1. Applicant shall revise site plans and show a twelve foot (12') wide multi-use (hiking, mountain biking, and equestrian) trail easement to be dedicated to the County.
2. Prior to issuance of conditional use permit, the Applicant shall:

- a. Dedicate by separate document to the County of Los Angeles, a twelve foot (12') wide multi-use (hiking, mountain biking, and equestrian) trail easement on the south side of the project site adjacent to East Avenue Q for purposes of the "San Bernardino Connector Trail". The trail easement shall be recorded within the same document and the plat map and legal description shall be attached and submitted to DPR for review and acceptance, prior to recordation.
- b. Dedications and the following language must be shown for trail dedication(s) in the easement document:

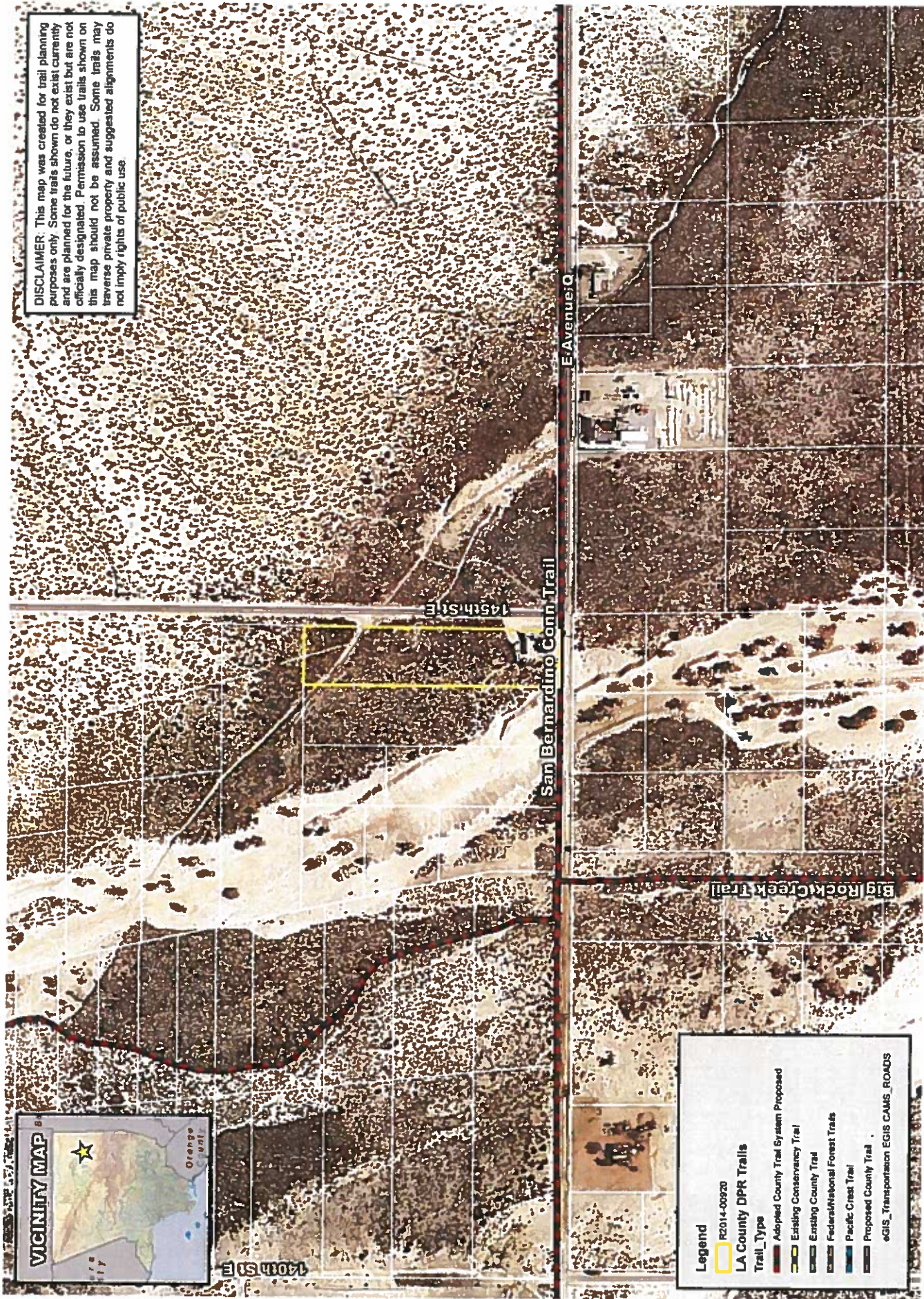
We hereby dedicate to the County of Los Angeles a twelve foot (12') wide multi-use (hiking, mountain biking and equestrian) trail easement, approximate length of two hundred and fifty linear feet (250'), for the "San Bernardino Connector Trail," as legally described and depicted on Exhibit "A". Full public recreation and maintenance access shall be provided in perpetuity within the multi-use trail easement. Please note that once the subject trail easement has been recorded, the easement area shall be free from any at-grade impediments or structures.

3. Trail easement must be outside of the road right-of-way unless approved by the County Department of Public Works (DPW).

For any trail related questions, please contact Olga Ruano, Park Planning Assistant at (213) 351-5141 or by e-mail at oruano@parks.lacounty.gov.

FM:OR R2014-00920 Four Aces Trail Report

c: Parks and Recreation: (F. Moreno, O. Ruano)



DISCLAIMER: This map was created for trail planning purposes only. Some trails shown do not exist currently and are planned for the future, or they exist but are not officially designated. Permission to use trails shown on this map should not be assumed. Some trails may traverse private property and suggested alignments do not imply rights of public use.



Legend

R2014-00920 LA County DPR Trails

Trail_Type

- Adopted County Trail System Proposed
- Existing Contingency Trail
- Existing County Trail
- Federal/National Forest Trails
- Pacific Crest Trail
- Proposed County Trail

EGIS_Transportation EGIS_CAMS_ROADS



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 3, 2015

IN REPLY PLEASE
REFER TO FILE: LD-2

TO: Robert Glaser
Zoning Permits North Section
Department of Regional Planning

Attention Richard Claghorn

FROM: Art Vander Vis
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201400043
PROJECT NO. R2014-00920
14499 EAST AVENUE Q
ASSESSOR'S MAP BOOK NO. 3029, PAGE 10, PARCEL NO. 9
UNINCORPORATED COUNTY COMMUNITY OF LAKE LOS ANGELES

Thank you for the opportunity to review the site plan and zoning permit application for the project located at 14499 East Avenue Q in the unincorporated County community of Lake Los Angeles. The applicant is requesting authorization for a CUP to allow the use of a movie set and film location that was established on the property in approximately 1998. The project consists of interconnected motel, diner, and gas station sets located at the southeast corner of the property. The majority of the parcel is undisturbed and no new permanent development activity is proposed. The developed/disturbed area of the property covers 0.7 acre of the 6.15 acre site. The entire parcel is within a Significant Ecological Area.

- ☒ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- ☐ Public Works has comments on the submitted documents and therefore a Public Hearing shall **NOT** be scheduled until the following comments have been addressed:

Robert Glaser
November 3, 2015
Page 2

1. Building and Safety

- 1.1 Submit building plans for review and approval to Public Works' Building and Safety Division, Antelope Valley District office.

For questions regarding the building and safety condition, please contact Francis Dominguez of Building and Safety Division at (661) 524-2397 or fdomingu@dpw.lacounty.gov

If you have any other questions or require additional information, please contact Ruben Cruz of Public Works' Land Development Division at (626) 458-4910 or rcruz@dpw.lacounty.gov.

RC:tb

P:\dpub\SUBPCHECK\Plan\CUP\CUP 201400043-14499 E Ave. Q\TCUP 201400043\2015-08-11 TCUP 201400043 SUBMITTAL\2015-10-22 CUP 201400043.docx





















Created in GIS-NET3

Four Aces

Printed: Aug 13, 2014



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PROPERTY OWNER
JAN PETER FLACK
(310) 206-2211

APPLICANT
JAN PETER FLACK
(310)386-2211

DESIGNS
RAMONA BARTHO
(310) 562-6383
RESPONSEDESIGNS.COM
4173 CANOGA AVE.
WOODLAND HILLS, CA 91364

THE FOUR ACES
14499 EAST AVENUE Q
PALMDALE, CA. 93591

PROJECT TIME

MOVIE SET

FILE NAME: \msn\msn.dwg

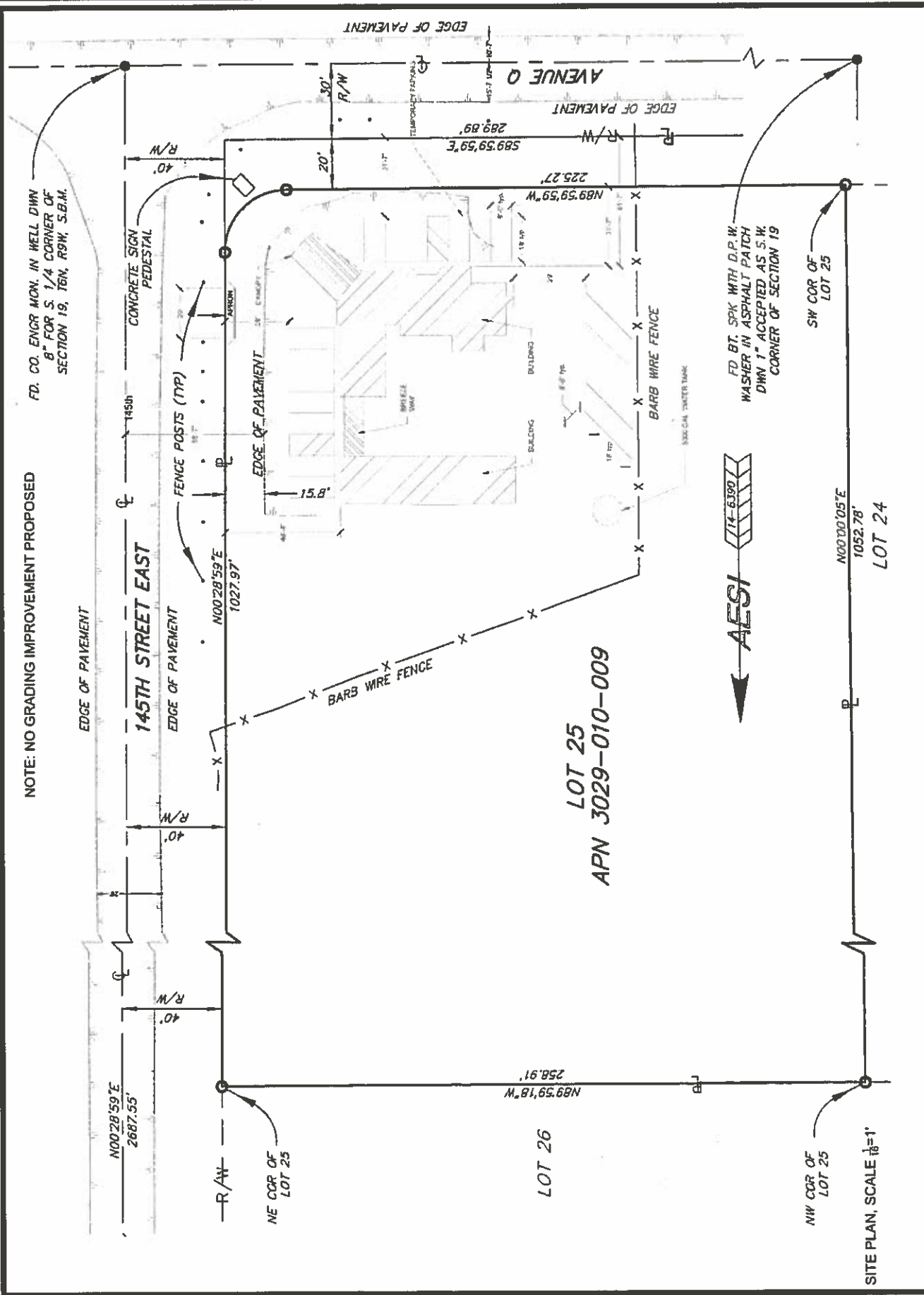
DRAWN BY A LAM

CHECKED BY R EAGLE

DATE 10-22-14

SITE PLAN

A2.0





VICINITY MAP



AERIAL MAP

APN: 302-901-0009
TOTAL: 3,185 SQ. FT.



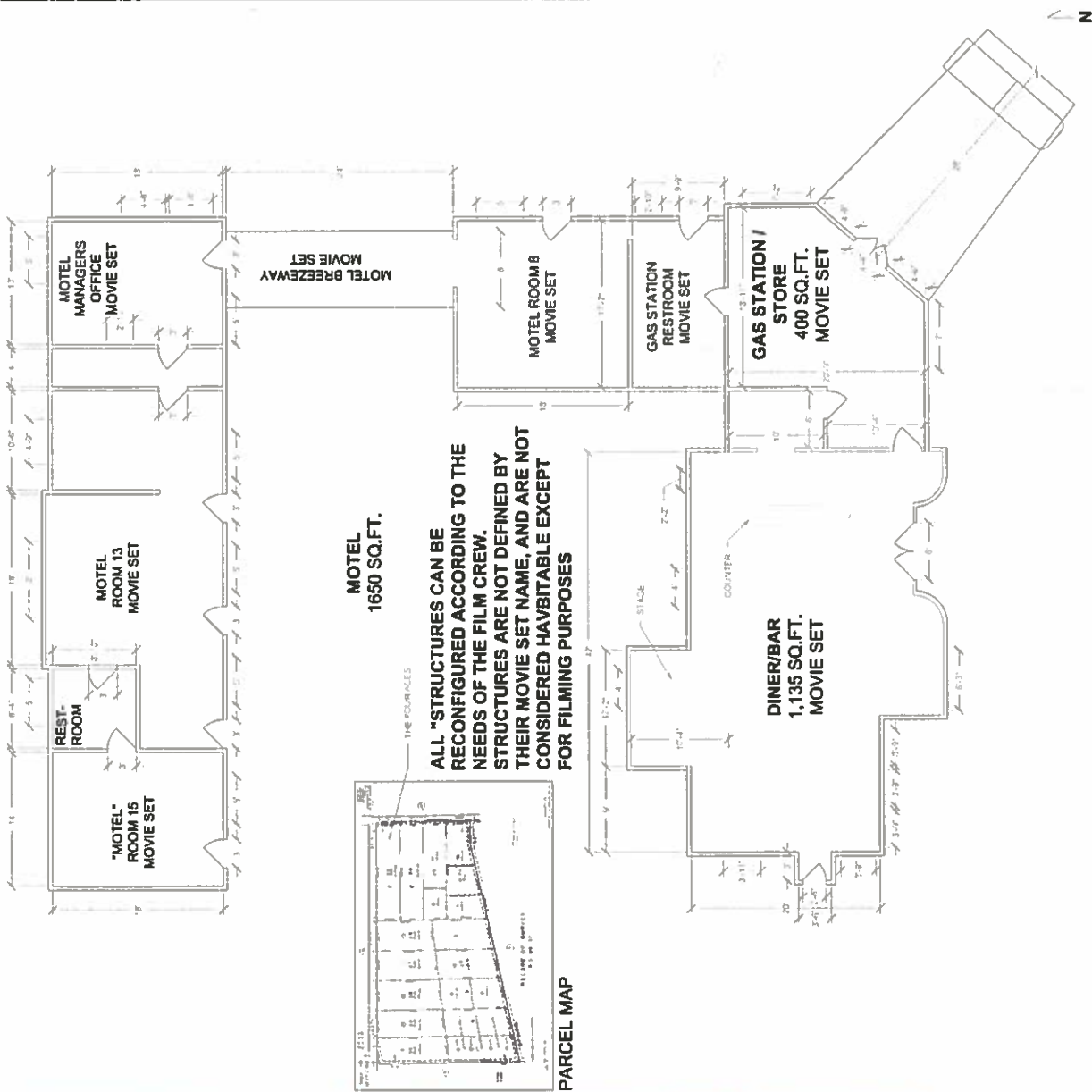
SOUTHWEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



N

PROPERTY OWNED: THE FOUR ACES 14499 EAST AVENUE Q PALMDALE, CA. 93591	PROJECT TITLE: MOVIE SET	FILE NAME: Acct.dwg DRAWN BY: A.L.M. CHECKED BY: R.BAGGIO DATE: 3-1-11	FLOOR PLAN	CS1.0
APPLICANT: JAM-PETER FLACK 310.884.2111				
ARCHITECT: RAMON BARRO 310.884.3383 RAMON@FOURACES.COM 14499 EAST AVENUE Q PALMDALE, CA 93591				

PROPERTY OWNER:
JAN PETER FLACK
(310)386-2211

APPLICANT:
JAN PETER FLACK
(310)386-2211

DESIGNER:
RAMON BARRO
(310)963-1330
WWW.RAMONBARRO.COM
4871 CANOGA AVE
WOODLAND HILLS, CA 91364

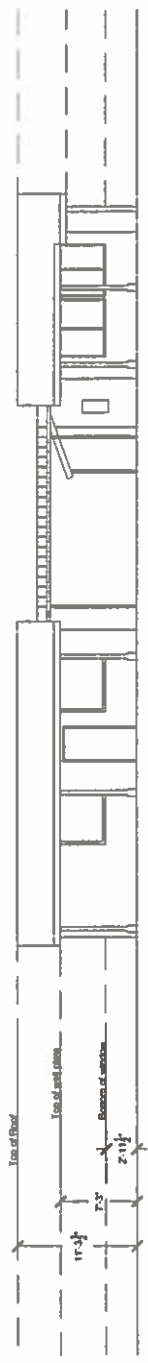
THE FOUR ACES
14499 EAST AVENUE Q
PALMDALE, CA. 93591

PROJECT TITLE
MOVIE SET

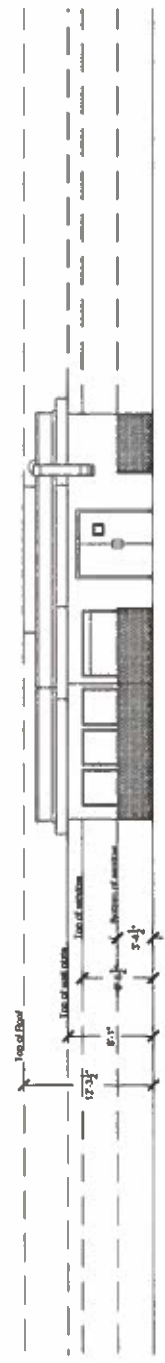
FILE NAME: four.aces.dwg
DRAWN BY: A. LAM
CHECKED BY: R. BAZZANO
DATE: 2/1/14

ELEVATIONS

CS2.0



ELEVATION A
SCALE 3/8" = 1'-0"



ELEVATION B
SCALE 3/8" = 1'-0"

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2014-00920 / PERMIT NO. RCUP 201400043 / ENV NO. RENV 201400085

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	<p>Protective Fencing and Signage: Maintain a permanent fence along the northern and western boundaries of the developed/disturbed area containing the movie set in order to prevent and discourage encroachment into adjacent sensitive habitats. Permanent signage shall be posted at the perimeter of the developed site to inform personnel of the sensitive status of the Joshua tree woodland and Big Rock Wash, as well as the presence of the Big Rock Wash Significant Ecological Area. Signage must also prohibit access by domestic pets with or without leashes in the sensitive habitats.</p>	<p>Prior to approval of the Exhibit A for the CUP, the Applicant must submit a plan for the design and installation of the required fencing and signage to the Los Angeles County Department of Regional Planning (LACDRP) for review and approval. At the discretion of the LACDRP, the existing barbed wire fencing at the site may be considered adequate to prevent and discourage encroachment. LACDRP shall conduct site inspections to ensure that appropriate fencing has been installed and that the permanent signage has been posted. The installation of the required fencing and signage must be completed before issuance of the approval of the Exhibit A for the CUP.</p>	After approval of the CUP	Applicant and consulting biologist	Los Angeles County Department of Regional Planning (LACDRP)

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2014-00920 / PERMIT NO. RCUP 201400043 / ENV NO. RENV 201400085

4.2	Biological Resources	<p>Trash Disposal: All food-related trash shall be disposed of in predator-proof closed containers. Permanent signage shall be posted to remind personnel to dispose of food-related trash in predator-proof closed containers. LACDRP shall conduct site inspections to ensure that the permanent signage has been posted.</p>	<p>Post required signage and properly dispose of trash.</p>	<p>After approval of the CUP</p>	<p>Applicant</p>	<p>Los Angeles County Department of Regional Planning (LACDRP)</p>
4.3	Biological Resources	<p>Environmental Education Handout: The Applicant shall prepare and submit an environmental education handout to LACDRP for review and approval. The environmental education handout shall address, at a minimum, the following topics: the presence and environmental significance of the Big Rock Wash Significant Ecological Area; the sensitive status of the native habitats surrounding the project site; the potential adverse effects of encroachment of personnel, vehicles, and pets into sensitive habitats; the potential adverse effects of light trespass, glare, and excessive noise during nighttime hours on wildlife and on wildlife movement; and, any permit conditions and mitigation measures required to avoid and reduce potential adverse effects on sensitive habitats, special-status wildlife, and wildlife movement.</p>	<p>The environmental education materials shall be distributed to all lessees and key personnel managing the facilities or personnel at the site. Upon receipt of the environmental education materials, all lessees and key personnel shall indicate by signature that they have received and understand the environmental education materials. The Applicant shall maintain the signatures on file to be provided at the request of the LACDRP.</p>	<p>Prior to issuance of the Exhibit A for the CUP obtain approval of handout from LACDRP. Ongoing monitoring after approval of CUP by LACDRP.</p>	<p>Applicant and consulting biologist</p>	<p>Los Angeles County Department of Regional Planning (LACDRP)</p>

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. R2014-00920 / PERMIT NO. RCUP 201400043 / ENV NO. RENV 201400085

4.4	Biological Resources	<p>Parking Restriction: Parking shall be restricted to the fenced-off developed area at the southeastern part of the property, and shall be prohibited in all off-site areas in the vicinity of the film set, including road shoulders. If the fenced-off developed area cannot accommodate the parking needs of the project, parking shall be at a remote off-site location. If a remote off-site location is to be used, the Applicant must submit the location of the off-site parking area to the Los Angeles County Department of Regional Planning (LACDRP) for review and approval.</p>	<p>The applicant/permittee shall observe the parking restrictions, which will be monitored and enforced by Regional Planning. The applicant shall notify Regional Planning and obtain advance authorization prior to any use of off-site parking.</p>	After approval of the CUP	Applicant	Los Angeles County Department of Regional Planning (LACDRP)
19	Mitigation Compliance	<p>Deposit: As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance reports to the Department of Regional Planning for review upon request, and for replenishing the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed. A deposit of \$6,000 for mitigation monitoring must be paid to the Department of Regional Planning within 60 days of the approval the CUP Exhibit A. Any unused funds in the account after the MMRP monitoring is completed will be refunded to the payer upon request.</p>	<p>Submittal and approval of compliance report, payment of mitigation monitoring deposit, and replenishing mitigation monitoring account</p>	<p>Yearly or upon request by LACDRP or until all measures are completed; Completion shall be determined by LACDRP</p>	Applicant	Los Angeles County Department of Regional Planning (LACDRP)

MITIGATION MONITORING AND REPORTING PROGRAM
PROJECT NO. R2014-00920 / CUP NO. 201400043 / ENV NO. 201400085

The Department of Regional Planning staff has determined that the attached mitigation measures for the project are necessary in order to assure that the proposed project will not cause significant impacts on the environment.

The permittee shall deposit the sum of \$6,000.00 with the Department of Regional Planning within 60 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring and Reporting Program.

As the applicant, I agree to incorporate these mitigation measures into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as mitigation measures.



Applicant

12-1-2015

Date



Staff

12-1-2015

Date

Four Aces Movie Location

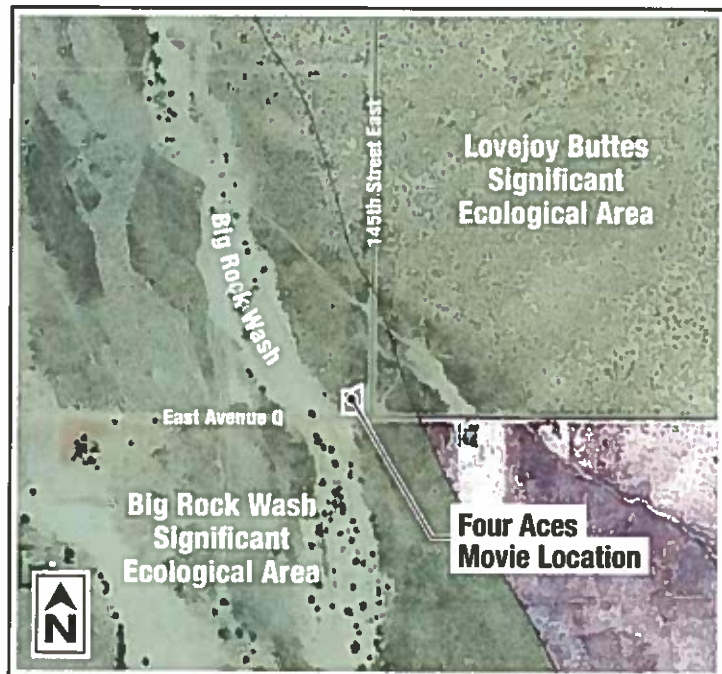


Introduction

The Four Aces Movie Location is located in a Significant Ecological Area, which is a designation given by Los Angeles County to land that contains irreplaceable biological resources. Significant Ecological Areas contain rare and sensitive habitats that support valuable plant and wildlife species as well as areas that are important for wildlife movement. Significant Ecological Areas are designed to preserve the biological diversity of the region. Los Angeles County permits the operation of the Four Aces Movie Location within a Significant Ecological Area, provided that the natural habitats in the surrounding area are not encroached upon or disturbed. To protect the important biological resources of the Significant Ecological Area, Los Angeles County requires that all personnel managing or using the Four Aces Movie Location observe the protective measures listed on the second page of this handout.

The Big Rock Wash Significant Ecological Area

The Four Aces Movie Location is located within the Big Rock Wash Significant Ecological Area. Big Rock Wash is a large and relatively undisturbed example of desert wash habitat, which is located to the west of the Four Aces Movie Location. It provides important riparian habitat and an important wildlife migration corridor, as well as a means of seed dispersal for many desert plants. Desert washes typically support much greater species diversity than surrounding upland habitats, and are important to the stability of desert ecosystems. Another important natural habitat within the Big Rock Wash Significant Ecological Area is Joshua tree woodland, which is considered sensitive by the California Department of Fish and Wildlife. The Four Aces Movie Location is surrounded by a Joshua tree woodland, which contains low density of Joshua trees and an understory of saltbush scrub. Both the desert wash and Joshua tree woodland habitats may contain rare and threatened wildlife species, which are protected by State and Federal laws and regulations.



Protective Measures

The sensitive natural habitats of the Big Rock Wash Significant Ecological Area may be easily disturbed by human activities. The encroachment of personnel, vehicles, or domestic pets into the natural habitats surrounding the Four Aces Movie Location could degrade these areas and potentially result in mortality, injury, harassment, or disturbance to protected wildlife species. Also, if disturbed road shoulders or other off-site areas are used for parking, vehicles could potentially injure protected wildlife species that may occur temporarily in these areas. If not properly controlled, light spillover or glare from outdoor lighting and amplified sound within outdoor areas especially if routine or for prolonged periods during nighttime hours could be disruptive to the normal behavior of wildlife and could cause some species to avoid the area. Food-related trash if not properly managed could attract predators to the area in greater than natural numbers, which could have adverse effects on protected wildlife species.



Due to the importance and sensitivity of the biological resources of the Big Rock Wash Significant Ecological Area, the County requires that all personnel managing or using the Four Aces Movie Location observe the following protective measures:

- 1) All activities associated with use of the Four Aces Movie Location are restricted to the fenced-off cleared/developed area containing the film set, which is shown in red on the figure above.
- 2) Parking in off-site areas in the vicinity of the film set, such as along road shoulders or within adjacent natural areas is prohibited.
- 3) Personnel are prohibited from entering the natural habitats within the Significant Ecological Area.
- 4) Pets must be contained and prevented from entering natural habitats within the Significant Ecological Area.
- 5) Nighttime lighting must be controlled to prevent light trespass or glare into the natural habitats surrounding the film set.
- 6) Noise including amplified sound during nighttime hours must be minimized.
- 7) All food-related trash must be disposed of in predator-proof closed containers.

Observance of these protective measures will ensure that disturbance to biological resources within the Big Rock Wash Significant Ecological Area will be avoided and minimized.

Signature Certification

By signing below I indicate that these environmental education materials have been provided to me, I understand the materials provided, and I will observe the protective measures included herein during the use of the Four Aces Movie Location.

(Print Name)

(Signature)

(Date)

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012**

MITIGATED NEGATIVE DECLARATION

PROJECT NO. R2014-00920

ENVIRONMENTAL CASE NO. R201400085

- 1. DESCRIPTION:** The project is a permanent movie set in the A-2-1 zone in the Big Rock Wash Significant Ecological Area. It includes interconnected sets made to appear as a motel, diner, and gas station, including interiors. The use was established in 1998 or shortly before. In 1998, a CUP was filed to legalize the use, but the permit was denied for inactivity in 2002. The movie set has remained, however. This CUP was filed to legalize the use. The majority of the property is undisturbed and no new development activity is proposed. The developed/disturbed area of the property covers 0.7 acres of the 6.15 acre site.
- 2. LOCATION:** 14499 E. Ave. Q, Palmdale, CA 93591
- 3. PROPONENT:**
Jan-Peter Flack
- 4. FINDINGS OF NO SIGNIFICANT EFFECT:** Based on the initial study, it has been determined that the project will not have a significant effect on the environment.
- 5. LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:** The location and custodian of the record of proceedings on which the adoption of this Mitigated Negative Declaration is based is:

Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

PREPARED BY: Richard Claghorn, Zoning Permits North Section

DATE: November 25, 2015

Environmental Checklist Form (Initial Study)
County of Los Angeles, Department of Regional Planning



Project title: "Four Aces Movie Location" / Project No. R2014-00920/ Case No(s). (RENV 201400085, RCUP 201400043)

Lead agency name and address: Los Angeles County, 320 West Temple Street, Room 1360, Los Angeles, CA 90012

Contact Person and phone number: Richard Claghorn, (213) 974-6443

Project sponsor's name and address: Jan-Peter Flack, 2522 32nd Street, Santa Monica, CA 90405

Project location: 14499 E. Avenue Q, Palmdale, CA 93591

APN: 3029-010-009 USGS Quad: Lovejoy Buttes

Gross Acreage: 6.15 acres

General plan designation: See Community/Area wide Plan designation

Community/Area wide Plan designation: Rural Land 20 (Antelope Valley Area Plan)

Zoning: A-2-2 (Heavy Agriculture, two acre minimum lot size)

Description of project: The project is a permanent movie set. It includes interconnected sets made to appear as a motel, diner, and gas station, including interiors. The use was established in 1998 or shortly before. In 1998, a CUP was filed to legalize the use, but the permit was denied for inactivity in 2002. The movie set has remained, however. This CUP was filed to legalize the use. The majority of the property is undisturbed and no new development activity is proposed. The developed/disturbed area of the property covers 0.7 acres of the 6.15 acre site.

Surrounding land uses and setting: The site is nearly flat with no notable topographic relief other than a sand berm constructed for flood control purposes near Big Rock Wash at the southwest corner of the site. Most of the site is Joshua Tree Woodland habitat. It is a rural desert location surrounded by vacant undeveloped parcels. There are some scattered single-family homes in the surrounding area, but it remains predominantly open desert land. The entire subject parcel is within a Significant Ecological Area (SEA). Nearly the entire site is in the Big Rock Wash SEA (SEA #48). A very small area at the northeast corner, approximately 150 square feet in size, falls within the Lovejoy Butte SEA (SEA #53).

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

Public Agency Approval Required

LA County Public Works Building permits

LA County Fire Department Fire protection

Major projects in the area:

Project/Case No.

Description and Status

No major projects

DRAFT

Reviewing Agencies:*Responsible Agencies*☒ None

Regional Water Quality Control Board:

☐ Los Angeles Region☐ Lahontan Region☐ Coastal Commission☐ Army Corps of Engineers☐ US Fish & Wildlife*Special Reviewing Agencies*☐ None☐ Santa Monica Mountains Conservancy☐ National Parks☐ National Forest☐ Edwards Air Force Base☐ Resource Conservation District of Santa Monica Mountains Area☒ Native American Heritage Commission☒ San Manuel Band of Mission Indians☒ Fernandeno Tataviam Band of Mission Indians*Regional Significance*☒ None☐ SCAG Criteria☐ Air Quality☐ Water Resources☐ Santa Monica Mtns. Area*Trustee Agencies*☐ None☒ State Fish and Wildlife☐ State Parks and Recreation☐ State Lands Commission☐ University of California (Natural Land and Water Reserves System)*County Reviewing Agencies*☒ DPW:

- Land Development Division (Grading & Drainage)

- Geotechnical & Materials

- Engineering Division

- Watershed Management Division (NPDES)

- Traffic and Lighting Division

- Environmental Programs Division

- Waterworks Division

☒ Fire Department

- Forestry, Environmental Division

- Planning Division

- Land Development Unit

- Health Hazmat

☐ Sanitation District☒ Public Health/Environmental Health Division: Land Use Program (OWTS)☐ Sheriff Department☐ Parks and Recreation☐ Subdivision Committee☐ County Library

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below (x) would be potentially affected by this project.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agriculture/Forest | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Services |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Geology/Soils | | |

DETERMINATION: (To be completed by the Lead Department.)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature (Prepared by)

10-22-15
Date

Signature (Approved by)

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Department cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Department has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. (State CEQA Guidelines § 15063(c)(3)(D).) In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) The explanation of each issue should identify: the significance threshold, if any, used to evaluate each question, and; mitigation measures identified, if any, to reduce the impact to less than significance. Sources of thresholds include the County General Plan, other County planning documents, and County ordinances. Some thresholds are unique to geographical locations.
- 8) Climate Change Impacts: When determining whether a project's impacts are significant, the analysis should consider, when relevant, the effects of future climate change on : 1) worsening hazardous conditions that pose risks to the project's inhabitants and structures (e.g., floods and wildfires), and 2)

worsening the project's impacts on the environment (e.g., impacts on special status species and public health).

DRAFT

1. AESTHETICS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☒ ☐

The movie set does not significantly affect existing scenic vistas in the area. The nearest officially mapped scenic resource is a Scenic Highway Corridor (170th St. East) approximately 2.5 miles to the east, as shown on the Hazards and Resources map of the Antelope Valley Area Plan.

b) Be visible from or obstruct views from a regional riding or hiking trail? ☐ ☐ ☒ ☐

The GIS-Net 3 map depicts two trails in the area. The San Bernardino Connector Trail runs along Avenue Q at the southern end of the property adjacent to the movie set according to this map. No physical trail currently exists at the location, although it appears on the GIS map. The Los Angeles County Department of Parks and Recreation will require recordation of a trail easement for the connector trail along the north side of Avenue Q as a condition of CUP approval. No change is proposed in the views on the property. The movie set use has existed since at least 1998, and the views will not change as a result of this proposal. The Big Rock Creek Trail is located approximately 800 feet west of the subject property. The sand berms along Big Rock Wash obscure the view from Big Rock Creek Trail.

c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☒ ☐

The property does not include any historic buildings nor is it visible from a state scenic highway. The property contains no trees except Joshua trees, and no Joshua trees shall be damaged. One Joshua tree was reportedly removed in approximately 1998 when the movie set was established, but it was reportedly in poor condition. There are no prominent rock outcroppings in the vicinity of the movie set location. No Joshua trees are proposed for removal. The movie set will not significantly damage any scenic resources. The property has been used for illegal dumping, which has damaged scenic resources. The subject property owner regularly cleans up the trash on the site left by illegal trash dumpers.

d) Substantially degrade the existing visual character or quality of the site and its surroundings because of height, bulk, pattern, scale, character, or other features? ☐ ☐ ☒ ☐

No change is proposed and the visual character of the site will not be altered. The movie set use was established in 1998, at which time the impacts to the site occurred. No permits were obtained for this use, although a CUP was applied for in 1998 (CUP 98-060). It was denied for inactivity in 2002, although the use remained. Although the site appears to be a commercial site with a motel, gas station, and diner, it is only a movie set, and no new significant visual impacts shall occur as a result of the project. There are no existing similar uses in the area.

e) Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area?

☐☐☒☐

There will be no new sources of substantial shadows, light, or glare. Nighttime filming is expected to occur, but it will be limited to the film set area and will be designed so as to avoid illumination and glare in the areas of the site and surrounding properties remaining in a natural condition, and which contain sensitive species. The site is within the Rural Outdoor Lighting District and is therefore subject to the "Dark Skies" requirements of Title 22.

DRAFT

2. AGRICULTURE / FOREST

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The subject property does not contain any land mapped as prime farmland or unique farmland on the Los Angeles Important Farmland map dated 2012 produced by the Farmland Mapping and Monitoring Program of the California Department of Conservation.

b) Conflict with existing zoning for agricultural use, with a designated Agricultural Opportunity Area, or with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The subject property is zoned A-2-1 (Heavy Agriculture – One Acre Minimum Required Lot Area), and this zone allows motion picture sets as a conditional use. It is consistent with the zoning. The property is not in a designated Agricultural Opportunity Area nor does a Williamson Act contract exist on the parcel.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220 (g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined in Government Code § 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The subject property is not zoned as forest land or timberland and no rezoning is proposed.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No forest land will be lost as a result of the project. One Joshua tree in poor condition was reportedly removed in 1998 when the movie set was established. The majority of the property, 5.45 acres of the total 6.15 acres, shall remain as natural desert vegetation, which includes many Joshua trees as well as a variety of other native desert vegetation. No changes are proposed in the existing site conditions.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

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The parcel is zoned for agricultural use, although no agricultural uses are known to have occurred on the parcel. The parcel is too arid to support agricultural uses without irrigation and is not suited to agricultural uses because it is in a Significant Ecological Area. No changes are proposed in the existing use.

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3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Would the project:

a) Conflict with or obstruct implementation of applicable air quality plans of either the South Coast AQMD (SCAQMD) or the Antelope Valley AQMD (AVAQMD)?

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The project will comply with the applicable air quality plans of the AVAQMD. Any emissions related to the movie set use are very minimal.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

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The existing use is proposed to remain. The existing impacts to air quality are very low and will not change. Vehicles and equipment for filming are used on the site, but the number of vehicles driving to the property is very small and will remain at current levels. There will be no disturbance of the soil or other factors which might potentially cause dust problems or any air quality violation.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

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The emissions will be well below SCAQMD significance thresholds for operation, and there is no proposed construction. The project will not contribute to a cumulatively considerable net increase of any criteria pollutant.

d) Expose sensitive receptors to substantial pollutant concentrations?

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There are no sensitive receptors, such as schools or hospitals, or substantial pollutant concentrations in the vicinity. The proposed movie set is located in a Significant Ecological Area (SEA), but due to the low level of air pollutants to be generated by the project, which are well below AVAQMD significance thresholds, any potential impacts to the SEA would be less than significant.

e) Create objectionable odors affecting a substantial number of people?

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No objectionable odors are expected to occur. No farm animals are proposed and no substances with strong odors are proposed or anticipated to be used on the property.

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4. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Based on the Biological Constraints Analysis (BCA) prepared by Envicom and updated in October 2014, there were no special-status plant species detected within the subject property during site visits in January 1999 and February 2014. A total of 76 different species of vascular plants were observed during Envicom's January 1999 and February 2014 surveys. A small white-flowered plant was detected during the February 2014 field survey, which was not positively identified, but which could be a white pygmy-poppy, (*Canbya candida*), an annual herb. This species is classified by the California Native Plant Society as fairly threatened in California (California Rare Plant Rank 4, a watch list for plants that are of limited distribution in California, and threat rank 0.2, moderate degree and immediacy of threat). It is considered as potentially present on the site with moderate probability. However, this plant could not be relocated for identification. Based on additional observations, Envicom believes the small white-flowered plant observed during the site visit was most likely a very small and early blooming club-fruited evening primrose (*Chylismia claviformis*). An evaluation of the potential for occurrence of special-status plant species on the site was included in the BCA. One special-status plant species, Alkali mariposa lily (*Calochortus striatus*) was listed as potentially occurring on the site and three others were listed as having a very low probability to occur (*Eriophyllum mohavense*, *Plagiobothrys parishii*, and *Eriastrum rosamondense*). The others were listed as having no potential for occurrence. The DRP Staff Biologist made a site visit on February 25, 2014 and observed no special-status plant or wildlife species. One special-status wildlife species was directly observed during a site visit in February 2014 by Envicom. It was a loggerhead shrike (*Lanius ludovicianus*) seen on the adjacent parcel to the east. This species undoubtedly occurs at the project site as well. Envicom also observed a very old desert tortoise (*Gopherus agassizii*) burrow in January 1999 during a site visit for an earlier BCA report with the previous CUP application. The 2014 BCA identified 18 special-status animals, including one reptile, eight birds, and nine mammals, with potential to occur at the site with varying probabilities from moderate to very low. Of these species, three are listed under the Federal Endangered Species Act (FESA) or California Endangered Species Act (CESA), including the desert tortoise (*Gopherus agassizii*), the Mohave ground squirrel (*Xeromorphophilus mohavensis*), and Swainson's hawk (*Buteo swainsoni*). An additional seven non-listed special-status bird species that are Species of Special Concern or California Fully Protected species may potentially occur at the site. Up to eight special-status mammals that are Species of Special Concern may potentially occur at the site, with varying probabilities from low to high.

The BCA divided the subject property into areas of high biological value and low biological value. The high biological value area corresponds to the undeveloped area while the low biological value area corresponds to the developed area near the southeast corner where the movie set is located and the land is cleared and highly disturbed. The area of high biological value includes the Big Rock Wash channel and berm at the southwest

corner of the site and an unpaved road and trail area near the north end of the parcel, but the area of high biological value is otherwise relatively undisturbed. No further development or activity is proposed in the area of high biological value. A fence separates the movie set area from the rest of the site, and filming activity and parking shall be restricted to the area that is of low biological value near the southeast corner of the site. No activities are proposed in the high biological value area of the parcel, and activities in the movie set area will be restricted by conditions to avoid impacting the areas of high biological value. Such restrictions shall include requiring that trash be properly disposed of in predator-proof containers, providing proper fencing to delineate and protect the sensitive areas, signage to warn of the sensitive nature of the site and to inform the public of prohibited activities and sensitive areas, prohibiting the encroachment of personnel, vehicles, and pets into sensitive habitats, prohibiting light trespass, glare, and excessive noise during nighttime hours, and providing educational handouts to key personnel working at or visiting the site to inform them of the sensitive nature of the site and the need for extra care to be taken to protect sensitive biological resources. These mitigation measures were proposed by Envicom's biologist and accepted by the county biologist and by the Significant Ecological Area Technical Advisory Committee (SEATAC). In addition to the mitigation measures proposed by Envicom, SEATAC recommended that no parking be allowed along the adjoining streets and that on-site parking be limited to the movie set area, within the area that is fenced, and the applicant accepted this recommendation at the SEATAC meeting on September 15, 2014. These mitigation measures will be included as conditions of the CUP.

b) Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFW (formerly CDFG) or USFWS?

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The entire parcel is in a Significant Ecological Area (SEA). The Big Rock Wash SEA covers nearly the entire parcel. A small triangular area in the northeast corner of the subject property is within the Lovejoy Butte SEA. This triangle measures approximately 15 feet from east to west and 20 feet from north to south, for an area of approximately 150 square feet. The developed area where the movie set is located is 0.7 acres in size, is located at the southeast corner at the intersection of Avenue Q and 145th Street East, and has been cleared of most vegetation. Joshua tree woodland habitat covers over 81% of the parcel, with 5.1 acres of the total 6.15 acres. Big Rock Wash is a normally dry watercourse that occasionally carries water in a northwesterly direction and includes a small area at the southwest corner of the parcel. A sand berm or levee was constructed for flood control purposes recently. The sparsely vegetated river wash and sand levee cover only about 0.07 acres of the subject parcel. An unpaved road and trail and surrounding disturbed area cover 0.28 acres in the northern part of the subject parcel. These disturbances were visible in aerial photographs in Envicom's 1999 BCA report, although it is unknown when the disturbances occurred. This area of the property is not used by the applicant and no activity is proposed for this area. No new construction, vegetation clearance, grading, or other development activities are proposed on the property. The applicant proposes only to continue the existing movie set and filming use within the disturbed movie set area and will confine all activity to this area. The impacts of the ongoing movie set activities will be less than significant with implementation of the mitigation measures discussed in the previous section as project conditions.

c) Have a substantial adverse effect on federally or state protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, and drainages) or waters of the United States, as defined by § 404 of the federal Clean Water Act or California Fish & Game code § 1600, et seq. through direct removal, filling, hydrological interruption, or other

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means?

Big Rock Wash flows through the property at the southwest corner of the parcel. No activity is proposed in the vicinity of the wash. The filming activity will have no impact on the wash. There are no other jurisdictional wetlands or waters on the parcel.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

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The movie set will not substantially interfere with the movement of migratory fish or wildlife. No aquatic habitat exists on the property or immediate vicinity other than Big Rock Wash, which is normally dry, but which contains aquatic habitat when water is present. The wash is protected by a large levee and will not be significantly impacted by any activity conducted on the property. Filming and other activities shall be prohibited outside of the movie set area and will therefore not interfere with the wash or with the Joshua tree woodland or other areas of migratory wildlife. Implementation of the project mitigation measures presented and accepted at the September 15, 2014 SEATAC meeting will minimize potential impacts to any migratory wildlife passing through the subject property to levels that are less than significant.

e) Convert oak woodlands (as defined by the state, oak woodlands are oak stands with greater than 10% canopy cover with oaks at least 5 inch in diameter measured at 4.5 feet above mean natural grade) or otherwise contain oak or other unique native trees (junipers, Joshuas, southern California black walnut, etc.)?

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There are no oak trees on the property according to the Environmental Assessment form and no oaks were identified in the BCA. The property contains a large number of Joshua trees, but none will be removed as a result of the project, and there will be no loss of Joshua tree woodland habitat. There was reportedly one Joshua tree removed in approximately 1998 when the movie set was established. The BCA mentions historical aerial images of the subject property from 1995 and 1997, prior to the construction of the movie set. The southeast corner area where the movie set is now located was already highly disturbed, but in part was naturally vegetated, which is consistent with the applicant's description of the site at that time. No conversion of woodland areas to other uses is proposed for this project.

f) Conflict with any local policies or ordinances protecting biological resources, including Wildflower Reserve Areas (L.A. County Code, Title 12, Ch. 12.36), the Los Angeles County Oak Tree Ordinance (L.A. County Code, Title 22, Ch. 22.56, Part 16), the Significant Ecological Areas (SEAs) (L.A. County Code, Title 22, § 22.56.215), and Sensitive Environmental Resource Areas (SERAs) (L.A. County Code, Title 22, Ch. 22.44, Part 6)?

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The project will comply with the local policies and ordinances protecting biological resources, including the SEA ordinance. The subject property is within two SEAs, primarily the Big Rock Wash SEA and with a small

corner within the Lovejoy Butte SEA. The project was presented at the SEATAC meeting on September 15, 2014 and was approved subject to conditions. The use will be conducted in a manner that respects and protects the sensitive biological resources on the subject property and the surrounding area. The project shall be consistent with all applicable ordinances and policies.

g) Conflict with the provisions of an adopted state, regional, or local habitat conservation plan?

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The subject property is within two SEAs, primarily the Big Rock Wash SEA and with a small corner within the Lovejoy Butte SEA. The project is designed to be consistent with the SEA requirements and does not conflict with those requirements, or of any other adopted local habitat conservation plan.

5. CULTURAL RESOURCES

*Potentially
Significant
Impact* *Less Than
Significant
Impact with
Mitigation
Incorporated* *Less Than
Significant
Impact* *No
Impact*

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?

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There are no known historic resources on the subject property. There are no historic resources on the property that are on the list of historic resources and points of interest designated by the State of California within unincorporated Los Angeles County, and there are no known historic resources on the property that meet the criteria in the CEQA historic resource eligibility criteria. The only structures on the property are the movie set structures constructed in or about 1998.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?

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There are no known archeological resources on the property. However, the potential still exists for unknown resources to exist on the site. Such resources could exist in the undisturbed area of the site or below the ground. No excavation, grading or vegetation clearance is proposed and no filming activity is to occur in the areas outside the existing movie set. Therefore, no substantial adverse change to any potential archaeological resources is likely to occur.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or contain rock formations indicating

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potential paleontological resources?

There are no known paleontological resources on the property. No rock outcroppings indicating such resources have been observed, although a thorough search for such formations was not conducted. The potential still exists for unknown resources to exist on the site. Such resources could exist in the undisturbed area of the site or below the ground. No excavation, grading or vegetation clearance is proposed and no filming activity is to occur in the areas outside the existing movie set. Therefore, no substantial adverse change to any potential paleontological resources is likely to occur.

d) Disturb any human remains, including those interred outside of formal cemeteries?

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The property is not known or suspected to have ever been used as a cemetery or to contain human remains. However, the potential still exists for unknown human remains to exist on the site. Such resources could exist in the undisturbed area of the site or below the ground. No excavation, grading or vegetation clearance is proposed and no filming activity is to occur in the areas outside the existing movie set. Therefore, no disturbance of any human remains is likely to occur.

6. ENERGY

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with Los Angeles County Green Building Ordinance (L.A. County Code Title 22, Ch. 22.52, Part 20 and Title 21, § 21.24.440) or Drought Tolerant Landscaping Ordinance (L.A. County Code, Title 21, § 21.24.430 and Title 22, Ch. 22.52, Part 21)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Los Angeles County Green Building Ordinance and Drought Tolerant Landscaping Ordinance are expected to be removed from the Zoning Code in the near future due to conflicts with similar state requirements and are expected to no longer be in effect by the time the project approval would potentially be finalized. The state requirements with regard to green building and drought tolerant landscaping may still be applicable to the project. No landscaping is proposed, and the site is to remain in a natural desert state, with no irrigation provided.

b) Involve the inefficient use of energy resources (see Appendix F of the CEQA Guidelines)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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There is currently no electricity available at the property from a utility company. Power is provided by a generator. All clients bring their own generators for electricity. The property may be hooked up to the electric grid at a future time, but electricity use will remain minimal, and would be for such things as an alarm system, security lights using a motion detector, and electric power for small film shoots. Energy resources are not expected to be used inefficiently or wastefully at this location and electrical usage will remain low.

7. GEOLOGY AND SOILS

<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault trace? Refer to Division of Mines and Geology Special Publication 42.

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No Alquist-Priolo Earthquake Fault Zone or active fault is located on the property or in the vicinity, based on the California Geological Survey map from 2004 for the Lovejoy Buttes quadrangle. The nearest mapped fault zone is nearly six miles away to the southwest in the community of Pearblossom.

ii) Strong seismic ground shaking?

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The entire subject property is in a liquefaction zone according to the California Department of Conservation Seismic Hazards map layers in the GIS-Net 3 mapping application based on the latest available maps from the California Geological Survey. There is a potential for strong seismic ground shaking. However, it is not believed to be a high risk due to the fact that the structures are non-habitable and are only one story. The structures will be required to obtain a building permit and comply with the applicable Building and Safety requirements to verify the safety of the structures. A geotechnical report was prepared by ABI Consultants, Inc. dated February 26, 2015 based on a site investigation. The report notes that it is in a mapped liquefaction zone and that it is subject to strong seismic shaking, although there are no known active faults on or projecting toward the site.

iii) Seismic-related ground failure, including liquefaction and lateral spreading?

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The entire subject property is in a liquefaction zone according to the California Department of Conservation Seismic Hazards map layers in the GIS-Net 3 mapping application based on the latest available maps from the California Geological Survey. The ABI report states that the site is underlain by alluvium consisting of dense to very dense silty sand. Accordingly, it concludes that the liquefaction potential of the site is low.

iv) Landslides?

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The subject property is not located within a landslide zone according to the GIS-Net 3 mapping application. The nearest mapped landslide zone is nearly 2/3 of a mile to the northeast in the area of Lovejoy Buttes.

b) Result in substantial soil erosion or the loss of topsoil?

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No grading, vegetation removal, construction, or other development is proposed. No erosion of topsoil will result from the project.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

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The movie set is in a liquefaction zone, so it is potentially unstable. It is not in a landslide zone. However, the geotechnical report has found that liquefaction potential at the site is low due to the dense to very dense underlying alluvium.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

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The geotechnical report found that the soil at the site consists of non-plastic granular soils and that the soil is not expansive.

e) Have soils incapable of adequately supporting the use of onsite wastewater treatment systems where sewers are not available for the disposal of wastewater?

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No onsite wastewater treatment system is proposed. A portable toilet is located at the site for sanitation. Waste is taken off site for disposal.

f) Conflict with the Hillside Management Area Ordinance (L.A. County Code, Title 22, § 22.56.215) or hillside design standards in the County General Plan Conservation and Open Space Element?

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The project is not subject to the hillside management ordinance because the site is flat. There are no slopes of 25 percent or greater in the vicinity of the movie set.

8. GREENHOUSE GAS EMISSIONS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Generate greenhouse gas (GHGs) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The emissions created in relation to the project are not significant with regard to GHGs, climate change or other aspects of the environment. The emissions levels are far below the AVAQMD significance thresholds. The AVAQMD significance threshold for GHGs is 100,000 tons per year or 548,000 pounds per day. The emissions generated by the project will be from vehicles to transport film crews and other workers to the site and any emissions created by generators or other equipment used for movie and film shoots. The number of vehicle trips generated by the project will be very low and other project related emissions will be less than significant.

b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The proposal does not conflict with any applicable plan, policy or regulation related to greenhouse gases because it is a very small scale project and the filming activity will be conducted in accordance with all applicable regulations. The small scale of the project will not result in a significant increase in greenhouse gas emissions and is well below the established significance thresholds.

9. HAZARDS AND HAZARDOUS MATERIALS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No hazardous materials are proposed to be used for the project. No hazardous materials are expected to be used or stored on the property except for substances such as gasoline and motor oil contained in vehicles visiting the site.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project would not create conditions where there is a potential for the release of hazardous materials into the environment or that would pose a hazard to the public.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No hazardous emissions will be produced on the site and no acutely hazardous materials are expected to be used on the property. Some hazardous substances such as gasoline may potentially be used, but any potential use of such materials is not expected to have a significant impact as long as they are not misused.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The property is not on the list of hazardous waste and substances sites (Cortese list) maintained by the California Department of Toxic Substances Control, and there are no such sites in the vicinity.

e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The property is not located within an airport land use plan or within two miles of any airport.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? ☐ ☐ ☐ ☒

No private airstrips are located in the vicinity.

g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☒ ☐

The proposal would not impair implementation of an emergency response or evacuation plan or physically interfere with such a plan. It will need to obtain approval from the Los Angeles County Fire Department (Fire Department) to ensure that it will comply with emergency response and evacuation plans and other fire safety requirements.

h) Expose people or structures to a significant risk of loss, injury or death involving fires, because the project is located:

i) within a Very High Fire Hazard Severity Zones (Zone 4)? ☐ ☐ ☐ ☒

The property is not in a Very High Fire Hazard Severity Zone.

ii) within a high fire hazard area with inadequate access? ☐ ☐ ☐ ☒

The property is not in a high fire hazard area and has adequate access.

iii) within an area with inadequate water and pressure to meet fire flow standards? ☐ ☐ ☒ ☐

A 5,000 gallon water tank is provided on the site for fire protection. The Fire Department has determined that this tank is adequate to provide water for fire protection of the site and has required the current 5,000 gallon tank to be maintained in a letter dated January 5, 2015.

iv) within proximity to land uses that have the potential for dangerous fire hazard? ☐ ☐ ☒ ☐

No neighboring land uses are dangerous fire hazards. No refineries, flammables, explosives manufacturing or other dangerous fire hazards are located in the vicinity.

i) Does the proposed use constitute a potentially dangerous fire hazard? ☐ ☐ ☒ ☐

The movie set use is not a dangerous fire hazard.

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10. HYDROLOGY AND WATER QUALITY

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Violate any water quality standards or waste discharge requirements?

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A portable toilet is proposed for the site. No wastewater is discharged on the site. Wastewater is regularly collected and transported off site to a suitable location. The use does not violate any water quality standards or waste discharge requirements.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

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There is no well on the property and no water company hookup. Very little water is used on the site, and the only water available is water that is brought onto the site by clients or visitors to the site or by the owner's water supplier. Annual water usage is estimated by the property owner at less than 300 gallons per year. Accounting for evaporation, the total annual water usage was estimated at 500 gallons. There is a 5,000 gallon water tank on the site for fire protection. The tank is topped off approximately twice per year to make up for water lost through evaporation or use. Small amounts of water are occasionally used for such things as mopping the interior linoleum floors and mixing paint, but otherwise water is seldom used on the site by the owner. Clients also use little water and bring their own water for drinking or occasionally small amounts for filming purposes. A portable waterless toilet is used on the site and serviced twice per week, so no water is needed for sanitation purposes. The subject property is part of the Antelope Valley Groundwater Adjudication Area. However, the water source used for the site originates from outside of the adjudication area. Water is currently supplied from a source in Oxnard, which is outside the adjudication area, and the owner has agreed to continue to only use water from outside the adjudication area and to require clients using the site to do likewise. Water has also been supplied from a source in Agua Dulce, which is also outside of the adjudication area. The CUP will be conditioned to require that all water used on the site be trucked in from outside of the Antelope Valley Basin Groundwater Adjudication Area. No groundwater is to be used on the site. Therefore, the project will have no impact to the groundwater levels at the site or within the Antelope Valley Groundwater Adjudication Area.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

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No grading, vegetation clearance, construction of new structures, or other activities are proposed that would

impact the drainage pattern of the site. A flood control levee or berm was constructed at the southwest corner of the site in recent years as part of a larger flood control system. The clearance of the vegetation and construction of the movie set which took place in or about 1998 has had some impact on the site drainage, although no further changes to site drainage shall occur based on the project.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

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No alterations are proposed to the drainage pattern of the site. The project is subject to the Low Impact Development (LID) requirements regarding drainage and all other applicable requirements regarding drainage. Applicability of LID requirements shall be determined by the Los Angeles County Department of Public Works (Public Works).

e) Add water features or create conditions in which standing water can accumulate that could increase habitat for mosquitoes and other vectors that transmit diseases such as the West Nile virus and result in increased pesticide use?

☐ ☐ ☒ ☐

No standing water pools or other features are proposed. Water may naturally pool in some locations on the property following rainfall, but the project does not add any potential sites for water to accumulate.

f) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

☐ ☐ ☒ ☐

No new development is proposed, so there will not be an increase in the amount of runoff.

g) Generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or otherwise significantly affect surface water or groundwater quality?

☐ ☐ ☒ ☐

No new development is proposed, so there will not be an increase in the amount of runoff. The project does not discharge any wastewater or result in pollution of water runoff.

h) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84 and Title 22, Ch. 22.52)?

☐ ☐ ☐ ☒

LID requirements may apply to the project. LID requirements shall be determined by Public Works.

i) Result in point or nonpoint source pollutant

☐ ☐ ☒ ☐

discharges into State Water Resources Control Board-designated Areas of Special Biological Significance?

The property does not discharge into any designated Area of Special Biological Significance.

j) Use onsite wastewater treatment systems in areas with known geological limitations (e.g. high groundwater) or in close proximity to surface water (including, but not limited to, streams, lakes, and drainage course)? ☐ ☐ ☐ ☒

No onsite wastewater treatment system exists on the site and none is proposed.

k) Otherwise substantially degrade water quality? ☐ ☐ ☒ ☐

The project will not substantially degrade water quality. No new impacts are proposed.

l) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or within a floodway or floodplain? ☐ ☐ ☒ ☐

The entire property is located within a Federal Emergency Management Agency (FEMA) flood zone according to the GIS-Net 3 FEMA flood zone map. However, this project does not involve housing. The flood control levee that was constructed along Big Rock Wash, which is partially on the subject property, appears adequate to protect the site from any major flood events that may occur.

m) Place structures, which would impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain? ☐ ☐ ☒ ☐

No structures are proposed, although the movie set structures are within a FEMA flood zone. The flood control levee along Big Rock Wash appears to provide adequate protection in case of a large flood event. Building and Safety division of Public Works shall verify the safety and adequacy of the structures with regard to flood hazards.

n) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☒ ☐

There is no Dam Inundation Area on the subject property according to the GIS-Net3 map showing areas that have the potential to be flooded after a catastrophic failure of a dam.

o) Place structures in areas subject to inundation by seiche, tsunami, or mudflow? ☐ ☐ ☒ ☐

The property is not in or close to any areas susceptible to inundation due to seiche, tsunami, or mudflow.

REF

11. LAND USE AND PLANNING

<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Physically divide an established community?

☐ ☐ ☒ ☐

The project would not create any barriers dividing the community. The existing movie set is one of only a few developed sites in the area. Most of the surrounding area is vacant desert land with some widely scattered residences. The movie set does not create a significant barrier to wildlife movement or any other barrier to the community.

b) Be inconsistent with the applicable County plans for the subject property including, but not limited to, the General Plan, specific plans, local coastal plans, area plans, and community/neighborhood plans?

☐ ☒ ☐ ☐

The movie set use is compatible with the newly adopted Antelope Valley Area Plan (Town & Country Plan) effective June 16, 2015, and the applicable Los Angeles County General Plan policies for the area. The current AV Plan designation is Rural Land 20, which is primarily for low density residential use of up to one dwelling unit per 20 acres, equestrian and animal uses, and agricultural uses. Other uses may be allowed where appropriate. The movie set use is also compatible with the old Antelope Valley Areawide General Plan (Old AV Plan). The Old AV Plan designation was Nonurban 1, which was primarily for low density residential use of up to 0.5 dwelling units per acre and agricultural uses. Non-residential uses were allowed in accordance with general guidelines listed in the AV Plan, including appropriate conditioning through a public hearing process. The project was also reviewed by SEATAC and found to be compatible with the SEA requirements, provided the recommended mitigation measures are implemented to avoid or mitigate potential impacts to the SEA.

c) Be inconsistent with the County zoning ordinance as applicable to the subject property?

☐ ☐ ☒ ☐

The existing lot size is 6.15 acres, which is consistent with the current zoning (A-2-2, Heavy Agricultural, two acre minimum lot size). The zoning of the site changed from A-2-1 (Heavy Agricultural, one acre minimum lot size) to A-2-2 with the adoption of the 2015 Antelope Valley Area Plan, and became effective on July 16, 2015. It is a legal lot created by a Record of Survey (Lot 25 of RS 68-37) adopted by the Board of Supervisors on August 11, 1953. The A-2-2 zone allows motion picture studios with a Conditional Use Permit (CUP). It will therefore be considered to be consistent with the zoning ordinance requirements if the CUP is approved. The property is not in a Community Standards District.

d) Conflict with Hillside Management criteria, Significant Ecological Areas conformance criteria, or other applicable land use criteria?

☐ ☐ ☒ ☐

The proposal is not subject to the Hillside Management requirements of the Los Angeles County Zoning Code. The development site does not contain any hillsides exceeding slopes of 25%. It is in a Significant Ecological Area (SEA) and is subject to an SEA CUP. The project has been reviewed by SEATAC and was found to be consistent with the SEA compatibility criteria.

DRAFT

12. MINERAL RESOURCES

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

There are no known mineral resources on the project site and the project would not result in the loss or availability of any valuable mineral resources. It is not identified as a Mineral Resource Area on the Special Management Area map of the Los Angeles County General Plan.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The property is not designated as a mineral resource recovery site on any land use plan.

13. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Exposure of persons to, or generation of, noise levels in excess of standards established in the County General Plan or noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08), or applicable standards of other agencies?

☐ ☐ ☒ ☐

The project will not result in excess noise. Some noise from filming will inevitably occur, but filming companies using the site will be provided educational materials on the sensitive nature of the site and shall be required to minimize noise impacts as much as possible. The County noise standards shall be applicable and it is required that the use shall remain in compliance. The requirement to comply with the County noise ordinance will be included as a condition of the CUP

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

☐ ☐ ☒ ☐

Some groundborne vibration or related noise could potentially occur as a result of some filming activities, although it is not expected to occur or be excessive.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from parking areas?

☐ ☐ ☒ ☐

Noise levels will remain at current levels. The movie set use has operated since 1998 and the noise impacts are expected to remain the same as they have been. There will not be a substantial permanent increase in noise levels.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from amplified sound systems?

☐ ☐ ☒ ☐

Noise levels may be temporarily higher for some film shoots, but noise would be required to be kept within the levels allowed by the County Noise Control ordinance.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

☐ ☐ ☐ ☒

There is no airport in the area and it is not part of an airport land use plan.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

☐☐☐☒

There is no private airstrip in the area.

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14. POPULATION AND HOUSING

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>No new homes or businesses are proposed. The existing movie set business, which has operated at this location since 1998, will not result in a substantial increase in the population of the area. There will be no new roads or other infrastructure that would induce further growth.</u>				
b) Displace substantial numbers of existing housing, especially affordable housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>No housing will be displaced as a result of the project.</u>				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>No people will be displaced by this project.</u>				
d) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>The project would not cause the regional or local population projections to be exceeded and will have no impact on population growth. No zone change or plan amendment is being requested to allow higher density than currently allowed.</u>				

15. PUBLIC SERVICES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p>a) Would the project create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</p>				
<p>Fire protection? <u>There is an existing fire station approximately four miles from the subject property (Fire Station 114) in Lake Los Angeles. Fire protection service will remain at an acceptable level.</u></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Sheriff protection? <u>The continued use of the existing movie set is not anticipated to have any significant effect on the level of Sheriff protection in the area.</u></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Schools? <u>The movie set use will not have an effect on local school service capacity.</u></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Parks? <u>The movie set use will not have an effect on local parks capacity.</u></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Libraries? <u>The movie set use will not have an effect on area libraries.</u></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Other public facilities? <u>The continued operation of the movie set use is not expected to have a significant effect on other public facilities in the area.</u></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. RECREATION

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Incorporated</i> | <i>Less Than
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Impact</i> | <i>No
Impact</i> |
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| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

The project would not increase the use of neighborhood or regional parks and would not result in substantial physical deterioration of parks or other recreational facilities. No new residences or uses are proposed.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Does the project include neighborhood and regional parks or other recreational facilities or require the construction or expansion of such facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No new recreation facilities are proposed as part of this project. Existing recreation facilities will not need to be expanded as a result of the project.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Would the project interfere with regional open space connectivity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Open space connectivity will not be affected. No expansion of the movie set use is proposed.

17. TRANSPORTATION/TRAFFIC

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>The existing movie set is at the corner of two local streets with very little traffic. No mass transit is available in the area. Film companies frequently use private buses and other forms of shared transportation to minimize the number of vehicle trips needed to travel to the site. The property contains adequate room for parking in the area of the movie set. Parking will be prohibited along the streets beyond the movie set at the southeast corner. The number of vehicle trips generated by the movie set use will remain very low and will have a negligible impact on the traffic circulation system.</u>				
b) Conflict with an applicable congestion management program (CMP), including, but not limited to, level of service standards and travel demand measures, or other standards established by the CMP for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>No change in traffic levels is anticipated. The continued operation of the movie set will not significantly affect the level of service of existing roads in the area and traffic levels will remain low.</u>				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>The project will not change air traffic patterns, will not increase air traffic levels in any significant way and will not create any changes that would result in substantial air safety risks. There are no airports in the immediate area or any landmarks on the property used for aviation that would be affected. No impact to air traffic patterns would result from the project.</u>				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The movie set use will not result in increased hazards.

e) Result in inadequate emergency access?

☐☐☒☐

Adequate emergency access shall be maintained, including unobstructed vehicular access to within 150 feet of all portions of the exterior walls of the building.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

☐☐☒☐

There are no bicycle routes or public transit routes in the vicinity. The project will not conflict with any plans, policies or standards regarding pedestrians, bicycles and alternate transportation modes.

18. UTILITIES AND SERVICE SYSTEMS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the project:

a) Exceed wastewater treatment requirements of either the Los Angeles or Lahontan Regional Water Quality Control Boards?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The movie set uses a portable toilet that will be required to comply with all applicable requirements. No waste is discharged on the site and waste is regularly collected and transported off site.

b) Create water or wastewater system capacity problems, or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No wastewater treatment facilities will be required for the project as the project is a small scale use with low levels of waste generated. No capacity problems are anticipated.

c) Create drainage system capacity problems, or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Any necessary drainage improvements will be on-site and will not cause significant environmental effects or off-site impacts.

d) Have sufficient reliable water supplies available to serve the project demands from existing entitlements and resources, considering existing and projected water demands from other land uses?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Water use by the movie set is very low and is brought in by clients as needed. There is no water supply available on the property other than a 5,000 gallon water tank used for fire protection. No increase in water demand is anticipated. The existing water supply is adequate for the use.

e) Create energy utility (electricity, natural gas, propane) system capacity problems, or result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Energy use on the site is not anticipated to create any capacity problems or create the need for expansion of existing facilities. Currently there is no electricity available at the movie set. Power is provided by a generator and clients bring their own generators as needed. The owner may in the future connect the property to the power lines in the area to obtain power for security alarms, security lighting with motion detectors, electric tools, lights for small film shoots, and other needs. However, power use on the property would still remain low and would not result in capacity problems or significant environmental effects.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

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The solid waste disposal needs of the site are not anticipated to create capacity problems for area landfills because waste generated by the project will remain low and there are no known capacity problems at area landfills. The property has been used as an illegal dump site by unknown persons, a problem which is very common in the area due to people who don't want to pay for proper waste disposal. The property owner regularly cleans up the property to properly dispose of waste and is trying to keep the property clean and ecologically healthy. This helps the area to remain a desirable area as a film location and to maintain a healthy community and environment. The property is required to comply with all applicable codes and requirements regarding solid waste disposal.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

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Regulations relating to solid waste disposal must be complied with. The project shall be required to comply with all applicable requirements for solid waste disposal.

19. MANDATORY FINDINGS OF SIGNIFICANCE

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Impact with
Mitigation
Incorporated</i> | <i>Less Than
Significant
Impact</i> | <i>No
Impact</i> |
|--|---|--|---|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The existing movie set shall have mitigation measures to minimize the effects on the SEA incorporated into the CUP. The project shall incorporate SEATAC recommendations to reduce potential effects on the environment. No sensitive plant or animal communities are threatened by the proposal. Recommendations from the consulting biologist and staff biologist shall be followed to ensure that plant and animal communities are protected. There are no known historical or cultural resources on the property.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

No significant environmental impacts are anticipated for the project in either the short-term or the long-term with the incorporation of mitigation measures.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Incremental effects of the project are not significant and it does not create a cumulatively significant impact. The development of this project as proposed does not make it easier to develop other properties in the area. No infrastructure will be added. This project will not significantly alter the character of the area or create any cumulatively significant impact. The amount of potential emissions resulting from the project will be less than significant and the project would not result in cumulative air quality impacts or any other significant cumulative impacts. There are no other current projects in the area and development of this project is not expected to lead to any new development, nor does it make it easier to develop other properties.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Does the project have environmental effects which | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

will cause substantial adverse effects on human beings, either directly or indirectly?

No substantial adverse effects will be caused by the proposal, either directly or indirectly. The existing movie set is compatible with the area and will not alter the existing neighborhood pattern significantly or negatively impact human health.

Reference Source List:

Anderson, Jim, Senior Biologist, Envicom Corporation, Biological Constraints Analysis Four Aces Movie Location Property, October 30, 2014

Baguio, Ramon, RB Plan Design, The Four Aces site plan, October 22, 2014 (updated May 7, 2015), The Four Aces floor plan and elevation plan, February 1, 2014

Bettadapura, Daya, MS, PE, Principal Engineer, ABI Engineering Consultants, Inc., Preliminary Geotechnical Investigation Report for Four Aces Movie Set Site, February 26, 2015

California Department of Conservation, California Geological Survey, Lovejoy Buttes Quadrangle Seismic Hazard Zones map, April 19, 2004

California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, Los Angeles County Important Farmland 2012 map, January, 2015

Glidden, Brian D., LS, Arrow Engineering Services, Inc., The Four Aces As-Built Survey, August 28, 2014

Los Angeles County, Department of Regional Planning, Antelope Valley Arcawide General Plan, adopted December 4, 1986

Los Angeles County, Department of Regional Planning, County of Los Angeles General Plan, adopted November 25, 1980

Los Angeles County, Directory of Properties in the Historical Property Data File, Volumes I through IV, May 3, 2005